

AN EXACT COLLECTION

Of all Remonstrances, Declarations,
Votes, Orders, Ordinances, Procla-
mations, Petitions, Messages, Answers, and other
Remarkable Passages betweene the **KINGS**
most Excellent Majesty, and his High Court
of Parliament beginning at his *Majesties*
return from **SCOTLAND**, being in
December 1641, and continued untill
March the 21, 1643.

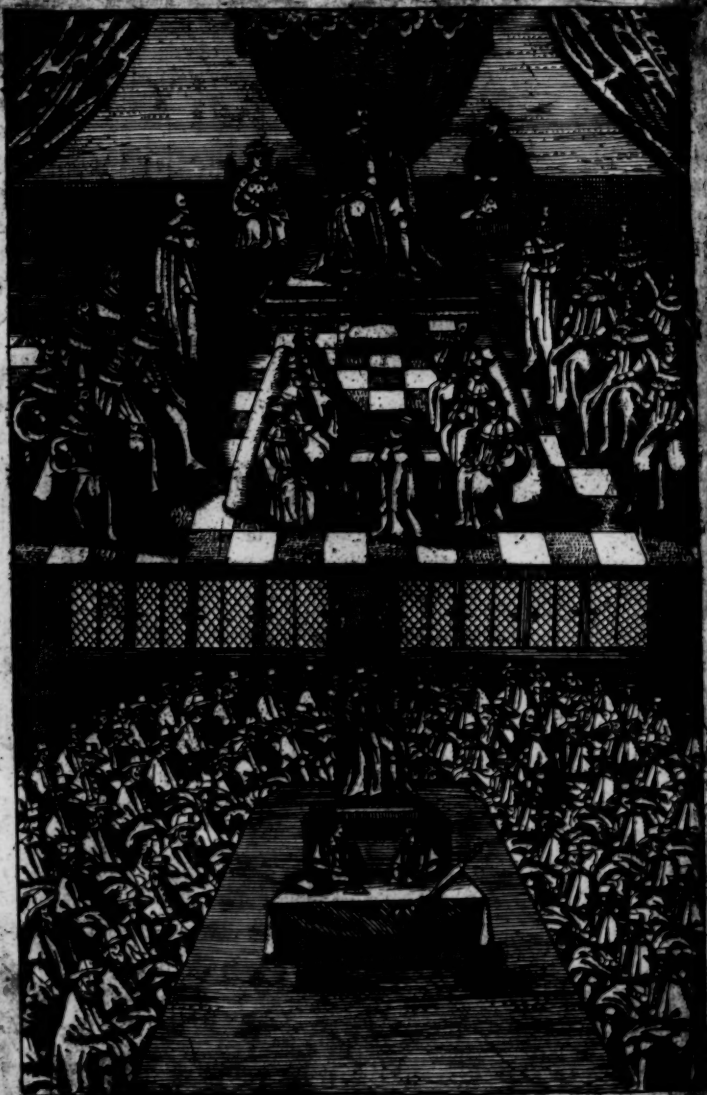
WHICH
Were formerly published either by the **KINGS**
Majesties Command or by Order from one
or both Houses of **PARLIAMENT**.

With a Table wherein is most exactly digested all the
fore-mentioned things according to their severall
Dates and Dependancies.



LONDON,

Printed for *Edward Husbands, T Warren, R. Best*, and are to be
sold at the Middle Temple, Grays Inn Gate, and the
White Horse in *Pauls Churchyard*, 1642. *cl. 1643.*



Gr. Brit. Parliam.
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THE NEW YORK COLLECTION

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His Majesties Speech, to both Houses of Par-
liament, Decemb. 2, 1641.

My Lords and Gentlemen,



Think it fit, after so long absence, at this first occasion, to speak a few words unto you, but it is no ways in Answer to Master Speakers learned Speech: Albeit I have staid longer then I expected to have done when I went away, yet in this I have kept my promise with you, that I have made All the haste back again, that the settling of my *Scotch* Affaires could any ways permit, in which I have had so good successe, that I will confidently affirme to you, that I have left that Nation a most peaceable and contented People; so that although I have a little misreckoned in time, yet I was not deceived in my end.

But if I have deceived your expectations a little in the time of my return, yet I am assured that my expectation is as much and more deceived in the condition wherein I hoped to have found busineses at my return. For since that before my going I ferled the Liberties of my Subjects, and gave the Laws a free and orderly course, I expected to have found my People reaping the fruits of these benefits, by living in quietnesse, and satisfaction of minde: But in stead of this, I finde them disturbed with Jealousies, Frights, and Alarms of dangerous Designes and Plots; in consequence of which, Guards have bin set to defend both Houses: I say not this as in doubt that my Subjects affections are any way altered to me in this time of my absence, for I cannot but remember, to my great comfort, the joyfull reception I had now at my entry into *London*, but rather as I hope that my presence will easily disperse these fears. For I bring as perfect and true affections to my people as ever Prince did, or as good Subjects can possibly desire. And I am so far from repenting me of any Act I have done this Session for the good of my people, that I protest, if it were to do again I would do it, and will yet grant what else can be justly desired for satisfaction in point of Liberties, or in maintenance of the true Religion that is here established.

Now I have but one particular to recommend unto you at this time, it is *Ireland*, for which though I doubt not your care, yet me thinks the preparations for it go but slowly on. The occasion is the fitter for me now to mention in be-

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cause of the Arrivall of two Lords from *Scotland*, who come instructed from my Councell there (who now by Act of Parliament have full power for that purpose) to answer that Demand which it pleased both Houses to make mee by way of Petition, that met me at *Barnwick*, and which the Duke of *Richmond* sent back by my command to my *Scotch*-Councel: Therefore my desire is, That both Houses would appoint a select Committee, to end this businesse with these Noblemen. I must conclude in telling you, that I seek my peoples happiness, for their flourishing is my greatest glory, and their affections my greatest strength.

F I N I S.

By the King.
A Proclamation for obedience to the Lawes ordained for
establisshing of the true Religion in this Kingdom
of England.

His Maestie considering that it is a dutie most beleeving, and that most obligeth Soberaign Authoritie in a Christian King, to be careful (above all other things) of preserving and advancing the Honour and Service of Almighty God, and the Peace and Tranquillitie of the Church, to which end His Maestie with His Parliament hath it under consideration, how all iust scruples might be removed. And being in the mean time sensible that the present division, separation and disorder about the Worship and Service of God, as it is established by the Lawes and Statutes of this Kingdom, in the Church of England, tendeth to great distraction and confusion, and may endanger the subversion of the very essence and substance of true Religion; hath resolved for the preservation of Unity and Peace (which is most necessary at this time for the Church of England) to require Obedience to the Lawes and Statutes ordained for establishing of the true Religion in this Kingdom, whereby the Honour of God may be advanced to the great comfort and happiness both of his Maestie and His good Subjects.

His Maestie doth therefore charge and command, That Divine Service be performed in this His Kingdom of England, and Dominion of Wales, as is appointed by the Lawes, and Statutes established in this Realm, and that obedience be given by all His Subjects Ecclesiasticall, and Temporall to the said Lawes, and Statutes concerning the same. And that all Judges, Officers, and ministers Ecclesiasticall, and Temporall ac-

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conjoynd to Justice, and their respective duties, do put the said Acts of Parliament in due execution against all willfull Contemners, and Disturbers of Divine Service, contrary to the said Laws, and Statutes.

His Majestie doth further command, That no Parsons, Vicars, or Curates in their severall Parishes shall presume to introduce any Rite, or Ceremonies other then those which are established by the Laws, and Statutes of the Land.

Given at His Majesties Palace of White-hall, the tenth day of December, in the seventeenth yeer of his Majesties Reign.

God save the King.

By the King.

A Proclamation for the attendance of the Members in both Houses in Parliament.

His most Excellent Majestie having summoned this present Parliament, in His princely care of the good and welfare of His loving Subjects; In the continuance of the same care doth with advice of His Privie Councell, by this His Royall Proclamation declare His Royall Will and Pleasure to be; That all the Members of both Houses of Parliament doe repair to the Parliament at Westminster, at, or befoze the twelfth of January next, and give their due, and diligent attendance in Parliament: To the end that this Kingdom may fully enjoy the benefit, and happynesse which His Majestie intendeth unto them by Summoning, and continuing of this Parliament: And of this His Majesties Will and Command they are to take notice by this His Proclamation, and to give a just obserbance thereunto, upon such pains, and penalties as by Law, and Justice may be inflicted upon them.

Given at his Majesties Palace of Whitehall, the twelfth day of December, in the seventeenth yeer of His Majesties Reign.

God save the King.

His Majesties Speech delivered to both Houses in Parliament, the fourteenth of December, 1641.

My Lords and Gentlemen,

THe last time that I was in this place, and the last thing that I recommended unto you, was the businesse of *Ireland*, whereby I was in good hope that I should not have need again to have put you in minde of that businesse; But still

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And that nothing may be omitted on my part, I must here take notice of the Bill for pressing of Souldiers now depending among you my Lords, concerning which I here declare, That in case it come so to Me, as it may not infringe or diminish my Prerogative, I will passe it: And further seeing there is a dispute raised (I being little beholding to him whoeuer at this time began it) concerning the bounds of this ancient and undoubted Prerogative, to avoid further debate at this time, I offer, that the Bill may passe with a *Salvo jure*, both for King and People, leaving such debates to a time that may better bear it. If this be not accepted, the fault is not mine that this Bill passe not; but those that refuse so faire an offer.

To conclude, I conjure you by all that is or can be deare to you or me, that laying away all Disputes, you goe on cheerfully and speedily for the reducing of *Ireland*, and the settling of the peace and quietness of that Kingdom.

To the Kings most Excellent Majestie.

The humble Petition of the Lords and Commons in

Parliament, concerning his Majesties Speech

of the 14 of December, 1641.

Most Gracious Sovereigne

YOur Majesties most humble and loyall Subjects the Lords and Commons in Parliament, doe with all faithfulnessse and zeale to your Majesties Service, acknowledge your Royal favour & protection to be a great blessing & security to them for the enjoying & preserving of all those publick & private Liberties & Priviledges which belong unto them; and whensoever any of those Liberties or Priviledges shall be invaded or broken, they hold themselves bound with

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with humility and confidence to resort to your Princely Justice for redresse and satisfaction. And because the Rights and Priviledges of Parliament are the Birth-right and Inheritance not only of themselves, but of the whole Kingdom, wherein every one of your Subjects is interessed. The maintenance and preservation whereof doth very highly conduce to the publick peace and prosperity of your Majesty and all your people; they conceive themselves more especially obliged with all humbleness and care, yea, with all earnestness and constancy of resolution, and endeavour to maintain and defend the same. Amongst other the Priviledges of Parliament; They do with all dutifull reverence to your most Excellent Majesty declare that it is their ancient and undoubted Right; That your Majesty ought not to take notice of any matter in agitation and debate in either Houses of Parliament, but by their information and agreement; and that your Majesty ought not to propound any Condition, Provision, or Limitation to any Bill or Act in debate or preparation in either Houses of Parliament; or to manifest or declare your consent or dissent, approbation or dislike of the same, before it be presented to your Majesty in due course of Parliament: and that every particular Member of either House hath free libertie of speech to propound or debate any matter according to the order and course of Parliament: and that your Majesty ought not to conceive displeasure against any man for such opinions and propositions as shall be delivered in such debate, it belonging to the severall Houses of Parliament respectively to judge and determine such errors and offences in words or actions as shall be committed by any their Members in the handling or debating any matters depending.

They doe further declare that all the Priviledges above-mentioned have been lately broken to the great sorrow and grievance of your most humble and faithfull Subjects in that Speech which your Majesty made in Parliament to both Houses upon Tuesday last the fourteenth of this present moneth of *December*, in that your Majesty did therein take notice of a Bill for impressing of Souldiers being in agitation in the said Houses, and not agreed upon: and that your Majesty did therein offer a *Salvo jure*, or provisionall Clause to be added to that Bill before it was presented to your Majestie by the consent of both Houses, and did at the same time declare your displeasure against such persons as had moved some doubt or question concerning the same Bill. All which they doe affirm and declare to be against the ancient, lawfull and undoubted Priviledges and Liberties of Parliament.

And therefore they most humbly beseech your Majesty, by your Royall Power and Authority, to mayntain and protect them in these and all other the Priviledges of your high Court of Parliament, that you will not for the time

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to come break or interrupt the same. And that none of your loyall Subjects may suffer or sustain any prejudice in your Majesties favour or good opinion for any thing done or spoken in Parliament. And for the reparation of your loyall Subjects in this their just grievance and complaint, for the breaches of their Priviledges above-mentioned, and prevention of the like, for the time to come. That your Majesty will be pleased to declare and make known the name or names of the person or persons, by whose mis-formation and evill counsell your Majesty was induced to the same, that so hee or they may receive such condigne punishment, as shall appertain to justice in that behalfe. And this they most humbly desire, and as your greatest and most faithfull Councell shall advise your Majesty to perform, as that which will be not only a comfort to themselves, but likewise a great advantage to your Majesty, by procuring and confirming such a confidence and unity betwixt your Majesty and your People, as may be a foundation of Honour, safety and happinesse to your Person and Throne, as they stand bound always to pray for, and endeavour.

The Petition of the House of Commons, which accompanied the Declaration of the State of the Kingdom, when it was presented to his Majesty at Hampton Court.

Most Gracious Sovereigne,

YOUR Majesties most humble and faithfull Subjects the Commoners in this present Parliament assembled, do with much thankfulness and joy, acknowledge the great mercy and favour of God, in giving your Majesty a safe and peaceable return out of *Scotland* into your Kingdom of *England*, where the pressing dangers and distempers of the State have caused us with much earnestness to desire the comfort of your gracious presence, and likewise the Unity and Justice of your Royall Authority to give more life and power to the dutifull and loyall Counsels, and endeavours of your Parliament, for the prevention of that eminent ruine and destruction wherein your Kingdoms of *England* and *Scotland* are threatened. The duty which we owe to your Majesty and our Country, cannot but make us very sensible and apprehensive, that the multiplicity, sharpnesse, and malignity of those evils under which we have now many voices suffered, are fomented and cherished by a corrupt and ill-affected party, who amongst other their mischievous devices for the alteration of Reli-
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gion and Government, have sought by many false scandals and imputations cunningly insinuated, and dispersed amongst the people, to blemish and disgrace our proceedings in this Parliament, and to get themselves a party and faction amongst your Subjects, for the better strengthening of themselves in their wicked courses, and hindering those provisions, and Remedies which might by the wisdom of your Majesty, and Counsell of your Parliament be opposed against them.

For preventing whereof, and the better information of your Majesty, your Peers, and all other your loyall Subjects, wee have been necessitated to make a Declaration of the state of the Kingdom, both before and since the Assembly of this Parliament unto this time, which we do humbly present to your Majesty without the least intention to lay any blemish upon your Royall Person but only to represent how your Royall Authority and trust have been abused, to the great prejudice and danger of your Majesty, and of all your good Subjects.

And because wee have reason to believe that those malignant parties whose proceedings evidently appear to be, mainly for the advantage and encrease of Popery, is composed, set up, and acted by the subtle practice of the Jesuits, and other Engineers and Factors for *Rome*, and to the great danger of this Kingdom, and most grievous affliction of your loyall Subjects, have so far prevailed, as to corrupt divers of your Bishops, and others in prime places of the Church, and also to bring divers of these Instruments to be of your Privy Counsell, and other employments of trust and neernesse about your Majestie, the Prince, and the rest of your Royall children.

And by this means hath had such an operation in your Counsell, and the most important affaires and proceedings of your Government, that a most dangerous division and chargeable preparation for war betwixt your Kingdoms of *England* and *Scotland*, the increase of Jealousies betwixt your Majesty, and your most obedient Subjects, the violent distraction and interruption of this Parliament, the insurrection of the Papiests in your Kingdom of *Ireland*, and bloody Massacre of your people, have been not only endeavoured and attempted, but in a great measure compassed and effected.

For preventing the final accomplishment whereof, your poor Subjects are enforced to engage their persons and estates to the maintaining of a very expencefull and dangerous War, notwithstanding they have already since the beginning of this Parliament undergone the charge of 150000 pounds sterling or thereabouts. For the necessary support and supply of your Majesty in these present and perillous Designes. And because all our most faithfull endeavours, and engagements will be ineffectuall for the peace, safety, and preservation of your Majesty and your people: if some present, real and effectuall course be not taken for suppressing this wicked and malignant party,

We your most humble and obedient Subjects doe with all faithfulness and humility beseech your Majesty,

That you will be graciously pleased to concur with the humble desires of your people in a Parliamentary way, for the preserving the peace and safety of the Kingdome from the malicious Designs of the Popish party.

For depriving the Bishops of their Votes in Parliament, and abridging their immoderate power usurped over the Clergy, and other your good Subjects, which they have most perniciously abused to the hazard of Religion, and great prejudice and oppression of the Laws of the Kingdom, and just liberty of your people.

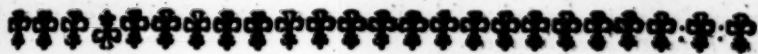
For the taking away such oppressions in Religion, Church-government, and Discipline, as have been brought in and fomented by them.

For uniting all such your loyall Subjects together, as joyn in the same fundamentall truths against the Papists, by removing some oppressions and unnecessary Ceremonies, by which divers weak consciences have beene scrupled, and seeme to be divided from the rest, for the due execution of those good Lawes which have been made for securing the liberty of your Subjects.

2 That your Majesty will likewise be pleased to remove from your Counsell all such as persist to favour, and promote any of those pressures and corruptions wherewith your people have been griev'd, and that for the future your Majesty will vouchsafe to imploy such persons in your great and publick Affairs, and to take such to be neer you in places of trust as your Parliament may have cause to confide in, that in your Princely goodness to your people, you will reject and refuse all mediation and solicitation to the contrary, how powerfull and neer soever.

3 That you will be pleased to forbear to alienate any of the forfeited and escheated Lands in *Ireland* which shall accrue to your Crown, by reason of this Rebellion, that out of them the Crown may be the better supported, and some satisfaction made to your Subjects of this Kingdom, for the great expences they are like to undergo this War.

Which humble desires of ours being graciously fulfilled by your Majesty, we will by the blessing and favour of God most cheerfully undergo the hazard and expences of this War and apply our selves to such other courses and counsels as may support your Royall estate with honour and plenty at home, with power and reputation abroad, and by our loyall affections, obedience, and service lay a sure and lasting foundation of the greatness and prosperity of your Majesty, and your Royall posterity in future times.



A Remonstrance of the State the Kingdom.

Die Mercurii, 15, Decemb. 1642.



He Commons in this present Parliament assembled, having with much earnestness, and faithfulness of affection, and zeale to the publick good of this Kingdome, and his Majesties honour and service, for the space of 12 moneths, wraſtled with the great dangers and feares, the preſſing miſeries and calamities, the various diſtempers & diſorders, which had not only aſſaulted, but even over-whelmed and extinguiſht the liberty, peace, and proſperity of this Kingdom, the comfort and hopes of all his Majesties good Subjects, and exceedingly weakned and undermined the foundation, and ſtrength of his owne Royall Throne; Doe yet finde an abounding Malignity, and oppoſition in thoſe parties and factions, who have been the cauſe of thoſe evils, and doe ſtill labour to caſt aſperſions, upon that which hath been done, and to raiſe many difficulties for the hinderance of that which remainys yet undone, and to foment & Jealouſies betwixt the King the & Parliament; That ſo they may deprive him his people, of the fruit of his own gracious Intentions, and their humble deſires of procuring the publick peace, ſafety, and happineſſe of this Realme. For the preventing of thoſe miſerable effects, which ſuch malicious endeavours may duce, We have thought good to declare.

- 1 *The root, and the growth of theſe miſchievous Deſignes.*
- 2 *The Maturity and Ripeneſſe, to which they have attained before the beginning of the Parliament.*
- 3 *The effectuall means which hath been uſed for the extirpations of thoſe dangerous evils, and the Progreſſe which hath therein been made by his Majesties goodneſſe, and the Wiſdom of the Parliament.*
- 4 *The ways of obſtruction and oppoſition, by which that Progreſſe hath been interrupted.*
- 5 *The courſes to be taken for the removing thoſe Obſtacles, and for the accompliſhing of our moſt dutifull, and faithfull intentions, and endeavours, of reſtoring and eſtabliſhing the Ancient Honour, Greatneſſe, and Security of this Crowne and Nation. The Root of all this miſchief, Wee finde to be a malignant, and pernicious*

designs, of subverting the Fundamentall Laws, and Principles of Government; upon which the Religion, and Iustice of this Kingdom, are firmly establisht. The Actors and Promoters hereof have been.

1 The Jesuited Papists who hate the Laws, as the Obstacles of that change and Subversion of Religion, which they so much long for.

2 The Bishops, and the corrupt part of the Clergie, who cherish formality, and superstition, as the naturall effects, and more probable supports of their own Ecclesiasticall Tyranny, and Usurpation.

3 Such Councillors and Courtiers as for private ends have engaged themselves, to further the interests of some forreigne Princes, or States, to the prejudice of his Majesty, and the State at home.

The common Principles by which they moulded and governed all their particular Counsels and Actions were these.

First, To mayntain continuall differences, and discontents betwixt the King, and the People upon Questions of Prerogative and Liberty, that so they might have the advantage of siding with him, and under the notions of men, addicted to his service, gain to themselves and their parties, the places of greatest trust and power in the Kingdom.

A second, To suppress the purity and power of Religion, and such as were best affected to it; as being contrary to their own ends, and the greatest impediment to that change, which they thought to introduce.

A third, To conjoyn those parties of the Kingdome, which were most propitious to their own ends, and to divide those who were most opposite, which consisted in many particular Observations; to cherish the Arminian part in those points; wherein they agree with the Papists, to multiply and enlarge the difference betweene the common Protestants, and those whom they call Puritans, to introduce and countenance such Opinions and Ceremonies, as are fittest for accommodation with Popery, to encrease and mayntain ignorance, loosenesse and prophanenesse in the people: That of those three parties, Papists, Arminians, and Libertines, they might compose a body fit to all such counsels and resolutions, as were most conducible to their own ends.

A fourth, To disaffect the King to Parliaments by slanders, and false imputations, and by putting him upon other wayes of supply, which in shew and appearance were fuller of advantage, then the ordinary course of Subsidies, though in truth they brought more losse then gain, both to the King and People, and have caused the distractions, under which we both suffer.

As in all compounded bodies, the Operations are qualified according to the predominant Element; So in this mixt party, the Jesuited Councils being most
active

active and prevailing, may easily be discovered to have had the greatest sway in all their determinations, and if they be not prevented, are likely to devour the rest, or to turn them into their own nature.

In the beginning of his Majesties Reign, the party begun to revive and flourish again, having been somewhat damp't by the breach with *Spain* in the last year of King *James*, and by his Majesties Marriage with *France*; the interests and Counsels of that State, being not so contrary to the good of Religion, and the prosperity of this Kingdom, as those of *Spain*; and the Papists of *England*, having been ever more addicted to *Spain*, then *France*; yet they still retained a purpose, and resolution to weaken the Protestant parties in all parts, and even in *France*, whereby to make way for the change of Religion, which they intended at home.

The first effect and evidence of their recovery and strength was the dissolution of the Parliament at *Oxford*, after there had been given two Subsidies to his Majesty; and before they received relief in any one Grievance, many other more miserable effects followed.

The losse of the *Roche* Fleet, by the help of our Shipping, set forth and delivered over to the *French*, in opposition to the advice of Parliament, which left that Town without defence by Sea, and made way not only to the losse of that important place, but likewise to the losse of all the strength and security of the Protestant Religion in *France*.

The diverting of his Majesties course of wars from the West-Indies, which was the most facile and hopefull way for this Kingdome to prevail against the *Spaniard*, to an expencefull and successles attempt upon *Cales*, which was so ordered, as if it had rather bin intended to make us weary of War, then to prosper in it.

The precipitate breach which *France* by taking their Ships to a great value, without making recompence to the English, whose goods were thereupon imbar'd and confiscate in that Kingdom.

The Peace with *Spain* without consent of Parliament, contrary to the promise of K. *James* to both Houses, whereby the *Palatine* Cause was deserted, and left to chargeable and hopelesse Treaties, which, for the most part, were managed by those, who might justly be suspected to be no Friends to that Cause.

The charging of the Kingdom with Billested Souldiers in all parts of it, and that Concomitant designe of *Germane* Horse, that the Land might either submit with fear, or be enforced with rigour to such Arbitrary Contributions, as should be required of them.

The dissolving of the Parliament in the second year of his Majesties Reign, after a Declaration of their intent, to grant five Subsidies.

The exacting of the like proportion of five Subsidies after the Parliament dissolved, by Commission of Loan; and divers Gentlemen and others imprisoned

for not yielding to pay that Loan, whereby many of them contracted such sicknesses, as cost them their lives. Great Summes of Money required, and raised by Privy Seals. An unjust and pernicious attempt to extort great payments from the Subject, by way of Excise; and a Commission issued under Seal to that purpose. The Petition of Right, which was granted in full Parliament, blasted with an illegall Declaration, to make it destructive to it selfe, to the power of Parliament, to the Liberty of the subject, and to that purpose printed with it; and the Petition made of no use, but to shew the bold and presumptuous injustice of such Ministers as durst breake the Lawes, and suppress the Liberties of the Kingdom, after they had been so solemnly and evidently declared.

Another Parliament dissolved, 4 Car. the privilege of Parliament broken, by imprisoning divers Members of the House, detaining them close prisoners for many moneths together, without the liberty of using Bookes, Pen, Inke, or Paper, denying them all the comforts of life, all means of preservation of health, not permitting their wives to come unto them, even in time of their sickness. And for the compleating of that crueltie, after yeers spent in such miserable durance, depriving them of the necessary means of Spirituall consolation, not suffering them to go abroad to enjoy Gods Ordinances in Gods House, or Gods Ministers to come to them, to administer comfort unto them in their private Chambers: and to keepe them still in this oppressed condition, not admitting them to be bailed according to Law, yet vexing them with Informations in inferiour Courts, sentencing and fining some of them for matters done in Parliament, and extorting the payments of those Fines from them, enforcing others to put in security of good behaviour, before they could be released.

The imprisonment of the rest which refused to be bound, still continued; which might have been perpetuall, if necessitie had not the last yeer brought another Parliament to relieve them; of whom, one died, by the cruelty and harshnesse of his imprisonment, which would admit of no relaxation notwithstanding the imminent danger of his life, did sufficiently appeare by the declaration of his Physician; And his release, or at least, his refreshment, was sought by many humble Petitions. And his blood still cryes either for vengeance; or repentance of those Ministers of State, who have at once obstructed the course both of his Majesties Justice and Mercy.

Upon the dissolution of both these Parliaments, untrue and scandalous Declarations published, to asperse their proceedings, and some of their Members, unjustly to make them odious, and colour the violence which was used against them. Proclamations set out to the same purpose; and to the great dejecting of the hearts of the people, forbidding them, even to speak of Parliaments.

After the breach of Parliament, in the fourth yeer of His Majesty, Injustice, Oppression, and Violence, broke in upon us, without any restraint or moderation; and yet the first project, was the great summes exacted thorow the whole

whole Kingdome, for default of Knighthood, which seemed to have some colour and shadow of a Law; yet if it be rightly examined by that obsolete Law which was pretended for it, it would be found to be against all the rules of Justice, both in respect of the persons charged, the proportion of the Fines demanded, and the absurd and unreasonable manner of their proceedings. Tonnage and Poundage hath been received without colour or pretence of Law: many other heavy impositions continued against Law: and some so unreasonable, that the summe of the charge, exceeds the value of the Goods. The Booke of Rates lately inhanst to a high proportion; and such Merchants as would not submit to their illegall and unreasonable payments, were vexed and oppressed above measure; and the ordinary course of Justice, the common Birth-right of the Subject of *England*, wholly obstructed unto them. And although all this was taken upon pretence of guarding the Sea, yet a new and unheard of Tax of Ship-money was devised, upon the same pretence. By both which, there was charged upon the Subject neer 700000 pounds some yeers; and yet the Merchants have been left so naked to the violence of the Turkish Pyrats that many great Ships of value, and thousands of His Majesties Subjects have been taken by them, and do still remayn in miserable slavery.

The enlargement of Forrests, contrary to *Charta de Foresta*, and the composition thereupon. The exactions of Coat and Condukt money, and divers other Military charges. The taking away the Arms of the Trained Bands of divers Counties. The desperate designe of engrossing all the Gun-powder into one hand, keeping it in the Tower of *London*, and setting so high a Rate upon it, that the poorer sort were not able to buy it, nor could any have it without Licence; thereby to leave the severall parts of the Kingdome destitute of their necessary defence; & by selling so dear that which was sold, to make an unlawfull advantage of it, to the great charge and detriment of the Subject, the generall destruction of the Kings Timber, especially that in the Forrest of *Dean*, sold to Papists, which was the best Store-house of this Kingdom, for the mayntenance of our Shipping, The taking away of mens right, under colour of the Kings title to Land between high and low water-Marks. The Monopolies of Soape, Salt, Wine, Leather, Sea-cole, and in a manner, of all things of most common and necessary use. The restraint of the Liberties of the Subjects in their habitation, Trades, and other Interest. Their vexation and oppression by Purveyors, Clerks of the Market, and Salt-Peter-men. The sale of pretended Nuzances, as Buildings in and about *London*, conversion of Arable into Pasture, continuance of Pasture, under the name of depopulation, have drawn many Millions out of the Subjects Purfes, without any considerable profit to his Majesty, Large quantities of Common, and severall Grounds, have been taken from the Subject, by colour of the Statute of Improvement, and by abuse of the Commission of Sewers, without their consent, and against it. And not only private
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Interest, but also publike faith have bin broken, in seizing of the mony and Bullion in the Mint; and the whole Kingdom like to be robb'd at once, in that abominable project of Brasse Money. Great numbers of his Majesties Subjects, for refusing those unlawfull charges, have beene vext with long and expensive suits; some fined and censured, others committed to long and hard imprisonments and confinements, to the losse of health of many, of life in some; and others have had their houses broken up, their goods seized, so ne have beene restrained from their lawfull Callings: Ships have been interrupted in their Voyages, surprized at Sea in an Hostile manner by Projectors, as by a common Enemy: Merchants prohibited to unlade their goods in such Ports, as were for their own advantage, and forced to bring them to those places, which were most for the advantages of the Monopolizers and Projectors. The Court of Star-chamber hath abounded in extravagant censures, not only for the mayntenance and improvement of Monopolies, and other unlawfull taxes; but for divers other Causes, where there hath been no offence, or very small; whereby his Majesties Subjects have beene oppressed by grievous Fines, Imprisonments, Stigmatizings Mutilations, Whippings, Pillories, Gags, Confinements, Banishments; after so rigid a manner, as hath not only deprived men of the society of their friends, exercise of their professions, comfort of Books, use of Paper or Ink, but even violated that neer Union, which God hath Etablisht betwixt Men and their Wives, by forced and constrained separation; whereby they have bin bereaved of the comfort & conversation one of another for many yeeres together without hope of relief; if God had not by his over-ruling Providence, given some interruption to the prevailing power, and Counsell of those who were the Authors and Promoters of such peremptory and heady courses.

Judges have bin put out of their places, for refusing to do against their Oaths, and Consciences: Others have bin so awed, that they durst not do their duties, and the better to hold a rod over them, the Clause *quam diu se bene gesserit* was left out of their Patents, and a new Clause *Durante bene placito* inserted. Lawyers have been checkt, for being faithfull to their Clients; Solicitors and Attorneys have bin threatned, and some punished for following lawfull Suits: And by this means all the approaches to Justice were interrupted and forecluded. New Oaths have bin forced upon the Subject against Law; new Judicatories erected without Law: The Councell Table have, by their Orders, offered to bind the Subjects in their Free-holds, Estates, Suits, And Actions. The pretended Court of the Earl *Marshall* was Arbitrary, and Illegall in its being, and proceedings. The Chancery, Exchequer-chamber, Court of Wards, and other English Courts have bin grievous in exceeding their Jurisdiction. The estate of many Families weakned; and some ruined by excessive Fines, exacted from them for compositions of Wardships. All Leases of above a hundred yeeres, made to draw on Wardship contrary to Law. Undue proceedings used in the finding.

finding of Offices, to make the Jury finde for the King. The Common-law Courts, seeing all Men more inclined to seek Justice there, where it may be fitted to their own desire, are known frequently to forsake the Rules of the Common-law, and straining beyond their bounds, under pretence of equity to doe Injustice. Titles of Honour, Judiciall places, Serjeantships at Law, and other Offices have bin sold for great summes of money; whereby the common Justice of the Kingdom hath bin much endangered, not only by opening away of employment in places of great trust, and advantage to Men of weak parts; but also by giving occasion to Bribery, Extortion, Partiality; It seldom hapning that places ill-gotten are well used. Commissions have bin granted for examining the excesse of Fees: and when great exactions have bin discovered, Compositions have bin made with Delinquents, not only for the time past, but likewise for immunity and security in offending for the time to come; which under colour of remedy, hath but confirmed, and encreased the Grievance to the Subject. The usuall course of pricking Sheriffs, not observed, but many times Sheriffs made in an extraordinary way; sometimes as a punishment and charge unto them; sometimes such were pricked out, as would be Instruments to execute whatsoever they would have to be done

The Bishops and the rest of the Clergy, did triumph in the Suspensions, Excommunications, Deprivations, and Degradations of divers painfull, learned and pious Ministers, in the vexation, and grievous oppression of great numbers, of His Majesties good Subjects. The High Commission grew to such excesse of sharpnesse and severity, as was not much lesse then the Romish Inquisition; and yet in many cases by the Archbishops power, was made much more heavy, being assisted, and strengthened by authority of the Councell Table.

The Bishops, and their Courts, were as eager in the Countrey; and although their Jurisdiction could not reach so high in rigour, and extremity of punishment, yet were they no lesse grievous, in respect of the generality, and multiplicity of vexations, which lighting upon the meaner sort of Tradesmen, and Artificers, did impoverish many thousands, and so afflict and trouble others, that great numbers, to avoid their miseries, departed out of the Kingdom, some into *New England*, and other parts of *America*, others into *Holland*, where they have transported their Manufactures of Cloth, which is not only a losse by diminishing the present stock of the Kingdom, but a great mischief by impairing and endangering the losse of that peculiar Trade of Cloathing which hath bin a plentiful Fountain of Wealth and Honour to this Nation. Those were fittest for Ecclesiasticall preferment, and soonest obtained it, who were most officious in promoting superstition, most virulent in rayling against Godlinesse, and Honesty.

The most publike and solemn Sermons before His Majesty were, either to advance Prerogative above Law, and Decry the property of the Subject, or

ful of such kind of investives; whereby they might make those odious who sought to mayntain the Religion Laws, and Liberties of the Kingdome; and such men were sure to be weeded out of the Commission of the Peace, and out of all other employments of power in the Government of the Countrey. Many noble Personages were Councillors in name; but the power and authority remaind in a few of such, as were most addicted to this party; whose resolutions, & determinations were brought to the Table, for countenance & execution & not for debate, and deliberation; and no Man could offer to oppose them, without disgrace, and hazard to himselfe: Nay, all those that did not wholly concurre and actively contribute to the furtherance of their designs, though otherwise persons of never so great Honour, and Abilities, were so far from being employed in any place of Trust, and power, that they were neglected, discountenanced, and upon all occasions injured and oppressed. This Faction was growne to that height, and entirenesse of power, that now they began to think of finishing their Work, which consisted of these three parts.

1 *The Government must be set free from all restraint of Laws, concerning our Persons and States.*

2 *There must be a Conjunction betwixt Papists and Protestants in Doctrine, Discipline, and Ceremonies; only it must not yet be called Poperie.*

3 *The Puritans under which name, they include all those that desire to preserve the Laws, and Liberties of the Kingdome, and to maintain Religion in the power of it; must be either rooted out of the Kingdome with force, or driven out with feare. For the effecting of this, It was thought necessary to reduce Scotland to such Popish Superstitions, and Innovations as might make them apt to joyne with England, in that great change which was intended. Whereupon new Canons, and a new Liturgie were prest upon them; and when they refused to admit of them, an Army was raised to force them to it, towards which the Clergie, and the Papists were very forward in their contribution. The Scots likewise raised an Army for their defence; And when both Armies were come together, and ready for a bloody encounter, His Majesties own gracious disposition, and the Councell of the English Nobilitie, and dutifull submission of the Scots, did so far prevail against the evill Councell of others, that a Pacification was made, and His Majestie returned with Peace, and much honour to London.*

The unexpected reconciliation was most acceptable to all the Kingdom, except to the malignant party, whereof the Archbishop and the Earle of Strafford being heads, they and their faction began to inveigh against the Peace, and to aggravate the proceeding of the States, which so incensed his Majesty, that he forthwith prepared again for War. And such was their confidence, that having corrupted and distempered the whole frame and Government of the Kingdom, they did now hope to corrupt that which was the onely meanes to restore all to a right frame and temper again: to which end they perswaded His Majesty

to call a Parliament, not to seeke counsell and advice of them, but to draw countenance and supply from them, and engage the whole Kingdome in their Quarrell : and in the mean time, continued all their unjust Levies of Money, resolving either to make the Parliament pliant to their Will, and to establish mischief by a Law, or else to break it ; and with more colour to goe on by violence, to take what they could not obtain by consent. The ground alleaged for the justification of this War was this.

That the undutifull Demands of the Parliaments of *Scotland*, was a sufficient reason for His Majesty to take Armes against them, without hearing the Reason of those Demands; And thereupon a new Army was prepared against them, their Ships were seized in all Ports, both of *England* and *Ireland*, and at Sea, Their Petitions rejected, their Commissioners refused Audience. This whole Kingdome most miserably distempered with Levies of Men and Money, and Imprisonments of those who denied to submit to those Levies. The Earle of *Strafford* past into *Ireland*, caused the Parliament there to declare against the *Scots*, to give foure Subsidies towards that War ; and to ingage themselves, their lives and fortunes for the prosecution of it, and gave directions for an Army of eight thousand foot, and one thousand horse, to be levied there, which were for the most part Papists. The Parliament met upon the thirteenth of *April*, one thousand six hundred and forty. The Earle of *Strafford*, and Archbishop of *Canterbury*, with their Party so prevailed with His Majesty, that the *House of Commons* was prest to yield to a Supply for maintenance of the War with *Scotland*, before they had provided any reliefe for the great and pressing Grievances of the people, which being against the fundamentall Priviledge and proceeding of Parliament, was yet in humble respect to his Majesty, so far admitted, as that they agreed to take the matter of Supply into consideration, and two severall days it was debated. Twelve Subsidies were demanded for the releife of Ship-money alone ; A third day was appointed for Conclusion, when the Heads of that Party begun to feare the people might close with the King in satisfying his desire of Money : But that withall they were like to blast their malicious designs against *Scotland*, finding them very much indisposed to give any countenance to that War.

Thereupon they wickedly advised the King to break off the Parliament, and to return to the ways of Confusion, in which their owne evill intentions were most like to prosper and succeed.

After the Parliament ended the fifth of *May*, one thousand six hundred and forty, this Party grew so bold, as to counsell the King to Supply Himselfe out of His Subjects states by his own Power, at his own Will, without their consent. The very next day, some *Members of both Houses* had their Studies and Cabinets, yea their Pockets searched : Another of them not long after was committed close prisoner, for not delivering some Petitions which hee received

by authority of that *House*, and if harsher courses were intended (as was reported) it is very probable that the sickness of the Earle of *Strafford*, and the Tumultuous rising in *Southwarke*, and about *Lambeth*, were the causes that such violent intentions were not brought to execution. A false and scandalous Declaration against the *House of Commons*, was published in His Majesties Name, which yet wrought little effect with the people, but only to manifest the impudence of those who were Authors of it.

A forced Loan of money was attempted in the City of *London*.

The Lord Major and Aldermen in their severall Wards enjoyned to bring in a List of the Names of such persons as they judged fit to lend, and of the sum they should lend. And such Aldermen as refused so to doe, were committed to prison.

The *Archbishop* and the other *Bishops* and *Clergie* continued the *Convocation*, and by a new Commission turned it to a *Provinciall Synod*, in which by an unheard-of presumption, they made *Canons* that containe in them many matters contrary to the Kings Prerogative, to the fundamentall Laws and Statutes of the Realme, to the right of *Parliaments*, to the Property and Liberty of the Subject, and matters tending to sedition, and of dangerous consequence, thereby establishing their own Usurpations, justifying their Altar-worship, and those other superstitious Innovations, which they formerly introduced without warrant of Law.

They imposed a new Oath upon divers of his Majesties Subjects, both *Ecclesiasticall* and *Lay*, for maintenance of their own Tyranny; and laid a great Tax upon the Clergie for Supply of his Majesty; and generally they shewed themselves very affectionate to the War with *Scotland*, which was by some of them styled *Bellum Episcopale*; and a Prayer composed, and enjoyned to be read in all Churches, calling the *Scots Rebels*, to put the two Nations into blood, and make them irreconcilable. All those pretended *Canons* and *Constitutions* were armed with the severall Censures of *Suspension*, *Excommunication*, *Deprivation*, by which they would have thrust out all the good Ministers, and most of the well affected people of the Kingdome, and left an easie passage to their owne Designe of Reconciliation with *Rome*. The *Papish* party enjoyned such Exemptions from the *Penall Laws*, as amounted to a Toleration, besides many other encouragements, and Court favours: They had a Secretary of State, Sir *Francis Windibank*, a powerfull Agent for the speeding of all their desires, a *Popes Nuntio* residing here to act and governe them according to such influences as he received from *Rome*, and to intercede for them with the most powerfull concurrence of the forreigne Princes of that Religion: By his authority the *Papists* of all sorts, Nobility, Gentry, and Clergy were convoked, after the manner of a *Parliament*; new Jurisdictions were erected of *Romish*

Archbishops, Taxes levied, another State moulded within this State independent in Government, contrary in interest and affection, secretly corrupting the ignorant, or negligent professors of our Religion, and closely uniting and combining themselves against such as were found, in this posture waiting for an opportunity by force to destroy those, whom they could not hope to seduce. For the effecting whereof, they were strengthened with Armes and **Munition**, encouraged by superstitious Prayers, enjoined by the *Nuncio* to be weekly made for the prosperity of some great designe. And such power had they at Court, that secretly a Commission was issued out, intended to be issued to some great Men of that profession for the levying of Souldiers, and to command and employ them according to private Instructions, which wee doubt were framed for the advantage of those who were the contrivers of them: His Majesties Treasure was consumed, his Revenue anticipated, His Servants and Officers compelled to lend great sums of money; Multitudes were called to the *Councell Table*, who were tired with long attendances there, for refusing illegall payments. The *Prisons* were filled with their Commitments; many of the Sheriffs summoned into the *Star Chamber*, and some imprisoned for not being quick enough in levying the Ship-money, the people languished under grief, and feare no visible hope being left, but in desperation. The Nobility began to be weary of their silence, and patience, and sensible of the duty, and trust which belongs to them: and thereupon some of the most eminent of them did petition his Majesty at such a time when evill Councils were so strong, that they had reason to expect more hazard to themselves, then redresse of those publick evils for which they interceded: whilst the Kingdom was in this agitation and distemper, the *Scots* restrained in their trades, impoverished by the losse of many of their Ships, bereaved of all possibility of satisfying His Majesty by any naked Supplication; entred with a powerfull Army into the Kingdom, and without any hostile Act or spoile in the Countrey as they passed, more then forcing a passage over the *Tyne* at *Newborne*, neer *Newcastle*, possessed themselves of *Newcastle*, and had a faire opportunity to presse on further upon the Kings Army: but duty and reverence to His Majesty, and brotherly love to the *English* Nation, made them stay there: whereby the King had leisure to entertain better Councils; wherein God so blessed and directed him, that he summoned the great Councell of Peers to meet at *Yorke*, upon the twenty fourth of *September*, and there declared a *Parliament* to begin the third of *November* then following. The *Scots* the first day of the great Councell, presented an humble Petition to His Majesty, whereupon the Treaty was appointed at *Rippon*. A present Cessation of Arms agreed upon: and the full Conclusion of all differences referred to the wisdom and care of the *Parliament*. At our first meeting, all Oppositions seemed to vanish, the mischiefs were so evident, which those evill Councillors produced, that no Man durst stand up to defend them. Yet the worke it self afforded difficulty enough.

nough. The multiplied evils and corruption of sixteene yeeres strengthened by custome and authority, and the concurrent interest of many powerfull Delinquents were now to be brought to judgement and reformation. The Kings Household was to be provided for, they had brought him to that want, that he could not supply his ordinary, and necessary expences, without the assistance of his people. Two Armies were to be payed, which amounted very near to eighty thousand pounds a moneth; the people were to be tenderly charged, having bin formerly exhausted with many burthensome Projects.

The difficulties seemed to be insuperable, which by the Divine Providence wee have overcome. The Contrarieties incompatible, which yet in a great measure we have reconciled. Six Subsidies have bin granted, and a Bill of Poll-money, which if it be duely levied may equall six Subsidies more, in all six hundred thousand pounds. Besides, wee have contracted a Debt to the *Scots* of 220 thousand pounds; and yet God hath so blessed the endeavours of this *Parliament*, that the Kingdome is a great gainer by all these charges. The Ship-money is abolished, which cost the Kingdome above 200 thousand pounds a year. The Coat and Conduct money, and other Military charges, are taken away, which in many Countries amounted to little lesse then the Ship-money. The Monopolies are all suppressed, whereof some few did prejudice the Subject, above a Million yearly. The Soap an hundred thousand pounds; the Wine three hundred thousand pounds; the Leather must needs exceed both: and Salt could be no lesse then that; besides the inferiour Monopolies, which if they could be exactly computed, would make up a great summe. That which is more beneficial then al this is, that the root of these evils is taken away, which was the arbitrary power pretended to be in his Majesty, of taxing the Subject, or charging their estates without consent in *Parliament*, which is now declared to be against Law, by the judgment of both *Houses*, and likewise by an Act of *Parliament*. Another step of great advantage is this: the living Grievances, the evill Councillors and Actors of these mischiefs have bin so quelled, by the justice done upon the Earle of *Strafford*, the flight of the Lord *Finch*, and Secretary *Windibank*, The accusation and imprisonment of the Archbishop of *Canterburie*, of Judge *Barlet*, and the impeachment of divers other Bishops and Judges, that it is like not onely to be an ease to the present times, but a preservation to the future. The discontinuance of *Parliaments* is prevented by the Bill for a *Trienniall Parliament*, and the abrupt dissolution of this *Parliament* by another Bill; by which it is provided, it shall not be dissolved or adjourned without the consent of both *Houses*.

Which two Laws well considered, may be thought more advantageous then all the former, because they secure a full operation of the present remedy, and afford a perpetuall Spring of remedies for the future: The Star-cham-

ber, the High Commission, the Courts of the President, and Councell in the North, were so many forges of misery, oppression, and violence, and are all taken away, whereby men are more secured in their persons, liberties, and estates, then they could be by any Law or Example for the regulation of those Courts, or Terrour of the Judges; The immoderate power of the *Councell Table* and the excessive abuse of that power is so ordered and restrained that we may well hope that no such things as were frequently done by them, to the prejudice of the publique liberty, will appear in future times but only in Stories, to give us and our posterity more occasion to praise God for his Majesties goodnesse, and the faithfull endeavours of this *Parliament*. The *Canons*, and the power of *Canon-making*, are blasted by the Vote of both *Houses*. The exorbitant power of *Bishops* and their Courts, are much abated, by some Provisions in the Bill against the *High Commission Court*. The Authours of the many Innovations in Doctrine and Ceremonies; The Ministers that have bin scandalous in their lives, have bin so terrified in just complaints and accusations that we may well hope they will be more modest for the time to come; either inwardly convicted by the sight of their own folly, or outwardly restrained by the fear of punishment. The *Forrests* are by a good Law reduced to their right bounds; the encroachments and oppressions of the *Stannerie Courts*; The Extortions of the *Clerke of the Market*, and the compulsion of the Subject to receive the Order of Knighthood against his will, paying of Fines for not receiving it, and the vexatious proceedings thereupon for levying of those Fines, are by other beneficiall Laws reformed and prevented. Many excellent Lawes and provisions are in preparation for removing the inordinate power, vexation, and usurpation of *Bishops* for reforming the pride and idlenesse of many of the *Clergie*, for easing the people of unnecessary Ceremonies in Religion, for censuring and removing unworthy and unprofitable Ministers; and for maintaining godly and diligent Preachers through the Kingdom: Other things of mayn importance for the good of this Kingdom, are in proposition though little could hitherto be done, in regard of the many other more pressing businesses, which yet before the end of this Session, wee hope may receive some progresse and perfection. The establishing and ordering the Kings Revenue, that so the abuse of Officers and superfluity of expences may be cut off, and the necessary disbursements for his Majesties Honour, the defence and government of the Kingdome, may be more certainly provided for. The regulating of Courts of Justice, and abridging both the delays and charges of Law Suits; The settling of some good courses for preventing the exportation of Gold and Silver, and the inequality of exchanges betwixt us and other Nations, for the advancing of native Commodities, increase of our Manufactures, and well ballancing of Trade, whereby the Stock of the Kingdom may be increased, or at least kept from impairing, as through neglect hereof it hath done for many yeers last past; For improving the

the Herring fishing, upon our own Coasts, which will be of mighty use in the imployment of the poore, and a plentiful Nursery of Mariners for inabling the Kingdome in any great Action. The oppositions, obstructions, and other Difficulties wherewith we have bin encountred, and which still lie in our way with some strength and much obstinacie are these: The malignant Party whom we have formerly described, to be the Actors and Promoters of all our misery, they have taken heart again; They have been able to prefer some of their own Factors and Agents to degrees of honour, to places of trust and employment: even during the *Parliament*. They have endeavoured to work in his Majesty ill impressions and opinions of Our Proceedings, as if we had altogether done our own work, and not His, and had obtained from him many things very prejudiciall to the Crown, both in respect of Prerogative and Profit. To wipe out this slander, Wee think good onely to say thus much: That all that Wee have done, is for His Majesty, His Greatnesse, Honour, and Support, when Wee yield to give twenty five thousand pound a moneth for the reliefe of the Northern Countries, this was given to the King, for hee was bound to protect his Subjects, they were his Majesties evill Counsellors, and their ill instruments that were Actors in those grievances which brought in the *Scots*: and if His Majesty please to force those who were the Authours of this War to make satisfaction, as hee might justly and easily doe, it seems very reasonable that the people might well be excused from taking upon them this burthen, being altogether innocent and free from being any causes of it.

When we undertook the charge of the Army, which cost above 50000 l. a moneth, was not this given to the King? was it not his Majesties army? were not all the Commanders under contract with His Majesty at higher rates and greater wages then ordinary? and have not wee taken upon us to discharge all the brotherly assistance of three hundred thousand pounds which wee gave the *Scots*? was it not toward repaire of those damages and losses which they received from the Kings ships, and from his Ministers? These three particulars amount to above 1100. thousand pound, besides his Majesty hath received by impositions upon Merchandise at least 400 thousand pounds; so that his Majesty hath had out of the Subjects purse since the *Parliament* began one Million and an half, and yet these men can be so impudent, as to tell His Majesty, that we have done nothing for him. As to the second branch of this slander, wee acknowledge with much thankfulness that His Majesty hath passed more good Bills to the advantage of the Subjects then have bin in many ages; but withall we cannot forget, that these venomous counsels did manifest themselves in some endeavours to hinder these good Acts: and for both Houses of *Parliament* we may with truth and modesty say thus much. That we have ever bin carefull not to desire any thing that should weaken the Crowne either in just profit or usefull power. The trienniall *Parliament*, for the matter of it, doth not extend to

so much as by Law wee ought to have required; there being two Statutes still in force for a Parliament to be once a year; and for the manner of so, it is in the Kings power, that it shall never take effect, if by a timely summons shall prevent any other way of assembling. In the Bill for continuance of this present Parliament, there seems to be some restraint of the Royall Power in dissolving of Parliaments, not to take it out of the Crowns hand to suspend the execution of it for this time and occasion onely; which was so necessary for the Kings own security, and the publick Peace, that without it we could not have undertaken any of these great charges, but must have let both the Armies to disorder and confusion, and the whole Kingdom to blood and rapine. The Star-chamber was much more fruitfull in oppression then in profit, the great fines being for the most part given away; and the rest staled at long times. The fines of the High Commission were in themselves unjust and seldom or never came into the Kings Purse. These four Bills are particularly and more specially instanced, in the rest there will not be found so much as a shadow of prejudice to the Crown: They have sought to diminish our reputation with the people, and to bring them out of love with Parliaments: the aspersions which they have attempted this way, have bin such as these. That wee have spent much time and done little; especially in those grievances which concerne Religion. That the Parliament is a burthen to the Kingdom by the abundance of Protections which hinder Justice and Trade, and by many Subsidies granted, much more heavy then any they formerly endured; to which there is a ready Answer: if the time spent in this Parliament be considered in relation backward to the long growth and deep root of those grievances, which we have removed, to the powerfull supports of those Delinquents, which wee have persued, to the great necessities and other charges of the Commonwealth for which we have provided: or if it be considered in relation forward to many advantages, which not onely the present, but future ages are like to reap by the good Laws and other proceedings in this Parliament, wee doubt not but it will be thought by all indifferent judgments, that our time hath bin much better imployed then in a far greater proportion of time in many former Parliaments put together; & the charges which have bin laid upon the Subject, & the other inconveniences which they have born, will seem very light in respect of the benefit they have and may receive. And for the matter of protections, the Parliament is so sensible of it that therein they intend to give them whatsoever ease may stand with Honour and Justice; and are in a way of passing a Bill to give them satisfaction. They have sought by many subtile practices, to cause jealousies and divisions betwixt us and our brethren of *Scotland*, by slandering their proceedings and intentions towards us, and by secret endeavours to infligate and incense them and us one against another. They have had such a party of

Bishops and popish Lords in the House of Peeres as hath caused much opposition and delay in the prosecution of Delinquents, hindred the proceedings of divers good Bills passed in the Commons house, concerning the reformation of sundry great abuses and corruptions both in Church and State. They have laboured to seduce and corrupt some of the Commons House, to draw them into conspiracies and combinations against the liberty of the Parliament: And by their instruments and agents they have attempted to disaffect and discontent his Majesties Army, and to ingage it for the mayntenance of their wicked and traiterous designs, the keeping up of Bishops in votes and factions, and by force to compell the Parliament to order, limit, and dispose their proceedings in such manner as might best concur with the intentions of this dangerous and potent faction: And when one mischievous designe, and attempt of theirs to bring on the Army against the Parliament, and the City of London had beene discovered and prevented, they presently undertooke another of the same damnable nature, with this addition to it, to endeavour to make the Scottish Army neutrall, whilest the English Army which they had laboured to corrupt and invenome against us by their false and slanderous suggestions, should execute their malice to the subversion of our Religion, and the dissolution of our government. Thus they have been continually practizing to disturbe the peace, and plotting the destruction even of all the Kings Dominions, and have employed their Emisaries and Agents in them, all for the promoting of their divellish Designs, which the vigilancy of those who were wel affected hath still discovered and defeated before they were ripe for execution in *England* and *Scotland*; onely in *Ireland* which was farther off, they have had time and opportunity to mould and prepare their work, and had brought it to that perfection that they had possessed themselves of that whole Kingdome, totally subverted the government of it, rooted out Religion, and destroyed all the Protestants whom the conscience of their duty to God, their King and Country would not have permitted to joyne with them, if by Gods wonderfull providence their main enterprise upon the City and Castle of *Dublin*, had not beene detected and prevented upon the very Eve before it should have beene executed. Notwithstanding they have in other parts of that Kingdome broken out into open Rebellion, surprized Townes and Castles, committed murders, rapes, and other villanies; and shaken of all bonds of obedience to his Majesty, and the lawes of the Realme; and in generall have kindled such a fire, as nothing but Gods infinite blessing upon the wisdom and endeavours of this State will be able to quench it: and certainly had not God in his great mercy unto this Land discovered and confounded their former designs, wee had been the Prologue to this Tragedy in *Ireland*, and had by this time been made the lamentable spectacle of misery and confusion. And now

what

what hope have we but in God, when as the only means of our subsistence, and power of Reformation is under him, in the Parliament; but what can wee the Commons without the conjunction of the House of Lords, and what conjunction can we expect there, when the Bishops and Recusant Lords are so numerous and prevalent, that they are able to crosse and interrupt our best endeavours for Reformation, and by that means give advantage to this malignant party to traduce our proceedings? They insule into the people, that we meane to abolish all Church-government, and leave every man to his own fancy for the service and worship of God, absolving him of that obedience, which he owes under God unto his Majesty, whom wee know to be intrusted with the Ecclesiastical Law as well as with the Temporall, to regulate all the members of the Church of *England*, by such rules of Order and Discipline as are established by Parliament which is his great Councell, in all Affairs both in Church and State. Wee confesse our intencion is, and our endeavours have been to reduce within bounds that exorbitant power which the Prelates have assumed unto themselves so contrary both to the Word of God, and to the Laws of the Land, to which end we past the Bil for the removing them from their temporal power and employments, that so the better they might with mee knes apply themselves to the discharge of their Functions, which Bill themselves opposed, and were the principall instruments of crossing it.

And we do here declare, that it is far from our purpose or desire to let loose the golden reyns of Discipline, and Government in the Church, to leave private persons or particular Congregations to take up what forme of divine Service they please; for wee hold it requisite that there should be throughout the whole Realme a conformity to that Order which the Laws enjoyn, according to the Word of God: and we desire to unbürthen the consciences of men of needlesse and superstitious Ceremonies, suppress innovations, and take away the monuments of Idolatry. And the better to effect the intended Reformation: we desire there may be a generall Synod of the most grave, pious, learned, and judicious Divines of this Island, assisted with some from forreigne parts professing the same Religion with us, who may consider of all things necessary for the peace and good government of the Church, and represent the results of their consultations unto the Parliament to be there allowed of and confirmed, and receive the stamp of authority, thereby to finde passage and obedience throughout the Kingdom. They have maliciously charged us that wee intend to destroy and discourage Learning, whereas it is our chiefeft care and desire to advance it, and to provide a competent mayntenance for conscionable and preaching Ministers throughout the Kingdom, which will be a great encouragement to Schollers, and a certain means whereby the want, meannesse, and ignorance to which a great part of the Clergy is now subject, will be prevented. And we

intend likewise to reform, and purge the Fountains of Learning the two Universities, that the streams flowing from thence may be cleer and pure, and an honour and comfort to the whole Land. They have strained to blast our proceedings in Parliament by wresting the interpretations of our Orders from their genuine intention. They tell the people that our meddling with the power of Episcopacy, hath caused Sectaries and Conventicles, when Idolatry and Popish Ceremonies introduced into the Church by the command of the Bishops, have not onely debarred the people from thence, but expelled them from the Kingdom. Thus with *Elish* we are called by this Malignant party the troublers of the State, and still while wee endeavour to reforme their abuses, they make us the Authours of those mischiefs we study to prevent: for the perfecting of the work begun and removing all future impediments, wee conceive these courses will be very effectuell seeing the Religion of the Papists hath such principles as do certainly tend to the destruction and extirpation of all Protestants when they shall have opportunity to effect it.

It is necessary in the first place to keep them in such condition, as that they may not be able to do us any hurt, and for avoiding of such connivence and favour as hath heretofore bin shewed unto them. That his Majesty be pleased to grant a standing Commission to some choice men named in Parliament, who may take notice of their increase, their counsels and proceedings, and use all due means by execution of the Laws to prevent any mischievous designs against the peace and safety of this Kingdom. That some good course be taken to discover the counterfeit and false conformity of papists to the Church, by colour whereof persons very much disaffected to the true Religion have been admitted into place of greatest authority and trust in the Kingdom.

For the better preservation of the Laws and Liberties of the Kingdom, that all illegall grievances and exactions be presented and punished at the Sessions, and Assizes: and that Judges and Justices be carefull to give this in charge to the Grand Jury, and both the Sheriffe and Justices to be sworne to the due execution of the Petition of Right and other Laws: That his Majesty be humbly petitioned by both Houses to employ such Counsellours, Ambassadors, and other Ministers in managing his busines at home and abroad, as the Parliament may have cause to confide in, without which we cannot give his Majesty such supplies for support of his own estate, nor such assistance to the Protestant party beyond the Sea as is desired. It may often fall out that the Commons may have just cause to take exceptions at some men for being Counsellours, and yet not charge those men with crimes, for there be grounds of diffidence which lye not in proof; there are others which though they may be proved, yet are not legally criminall; to be a known favourer of Papists, or to have been very forward in defending or countenancing some great offenders questioned in Parliament;

orto speak contemptuously of either Houses of Parliament, or Parliamentary proceedings, or such as are Factours or Agents for any Forreigne Prince of another Religion, such as are justly suspected to get Counsellours places or any other of trust concerning publick Employment for money: For all these and divers others wee may have great reason to be earnest with his Majestie no to put his great Affaires into such hands though wee may be unwilling to proceed against them in any legall way of charge or impeachment: That all Counsellours of State may be sworn to observe those Laws which concern the Subject in his liberty, that they may likewise take an Oath not to receive or give Reward or Pension from any Forreigne Prince, but such as they within some reasonable time discover to the Lords of his Majesties Councell: and although they should wickedly forswear themselves, yet it may herein do good to make them knowne to be false and perjured to those who employ them, and thereby bring them into as little credit with them as with us, That his Majesty may have cause to be in love with good counsell and good men, by shewing him in an humble and dutifull manner, how full of advantage it would be to himself, to see his own estate settled in a plentiful condition to support his honour, to see his people united in ways of duty to him, and endeavours of the publick good; to see happineffe, wealth, peace and safety derived to his own Kingdom, and procured to his Allies by the influence of his own power and government. That all good courses may be taken to unite the two Kingdoms of *England* and *Scotland* to be mutually ayding and assisting one another for the common good of the Island, and honour of both. To take away all differences amongst our selves for matters indifferent in their own nature concerning Religion, and to unite our selves against the common enemies, which are the better enabled by our divisions to destroy us all, as they hope and have often endeavoured. To labour by all offices of friendship to unite the Forreigne Churches with us in the same cause, and to seek their liberty, safety, and prosperity, as bound therunto both by charity to them, and by wisdom for our own good. For by this means our own strength shall be encreased, and by a mutuall concurrence to the same common end, we shall be enabled to procure the good of the whole body of the Protestant Profession. If these things may be observed, wee doubt not but God will crown this Parliament with such successe as shall be the beginning and foundation of more honour and happineffe to his Majesty, then ever yet was enjoyed by any of his Royall Predecessors.

FINIS.

His,

His Majesties answer to the Petition which accom-
panied the Declaration, presented to Him at
Hampton Court, 1 December

1641.

WE having received from you, soon after Our Return out of *Scotland*, a long Petition, consisting of many desires of great moment, together with a Declaration of a very unusuall nature annexed thereunto, We had taken some time to consider of it, as befitting Us in a matter of that consequence, being confident, that your own reason and regard to Us, as well as Our expresse intimation by Our Comptroller to that purpose, would have restrained you from the publishing of it, till such time as you should have received Our Answer to it: But, much against Our expectation, finding the contrary, that the said Declaration is already abroad in Print, by directions from your House as appears by the printed Copy: Wee must let you know that wee are very sensible of the disrespect. Notwithstanding, it is Our Intention, that no failing on your part, shall make Us faile in Ours, of giving all due satisfaction to the desires of Our People, in a Parliamentary way; And therefore Wee send you this Answer to your Petition, reserving Our selfe in point of the Declaration, which Wee thinke unparliamentary, and shall take a course to doe that which Wee shall thinke fit in prudence and honour.

To the Petition, We say; that although there are divers things in the Preamble of it, which We are so far from admitting, that We professe We cannot at all understand them, as, *Of a wicked and malignant party prevalent in the Government; Of some of that party admitted to Our Privy Councell, and to other Employments of trust, and neereſt to Vs and Our Children; Of Endeavours to sow among the People false scandals and imputations, to blemish and disgrace the proceedings of the Parliament:* All, or any of which, did Wee know of, Wee should be as ready to remedy and punish, as you to complaine of. That the prayers of your Petition are grounded upon such premisses as Wee must in no wise admit; yet notwithstanding Wee are pleased to give this Answer to you.

To the first concerning Religion, consisting of severall branches, Wee say, that for the preserving the peace and safety of this Kingdome from the designs

signes of the Popish partie, Wee have, and will still concur with all the just desires of Our people in a Parliamentary way; That for the depriving of the Bishops of their Votes in Parliament, We would have you consider, that their right is grounded upon the fundamentall Law of the Kingdome, and constitution of Parliament; This We would have you consider, but since you desire Our concurrence herein in a Parliamentary way, We will give no further answer at this time.

As for the abridging of the inordinate power of the Clergy, Wee conceive that the taking away of the High Commission Court hath well moderated that, but if there continue any Usurpations, or Excesses in their Jurisdictions, We therein neither have nor will protect them.

Unto that Clause which concerneth Corruptions (as you style them) in Religion, in Church-government, and in Discipline; and the removing of such unnecessary Ceremonies as weake Consciences might cheque at. That for any illegall Innovations, which may have crept in, We shall willingly concur in the removall of them. That if Our Parliament shall advise Us to call a Nationall Synod, which may duly examine such Ceremonies as give just cause of offence to any, We shall take it into consideration, and apply Our Self to give due satisfaction therein; But Wee are very sorry to heare in such generall termes Corruption in Religion objected, since Wee are perswaded in Our conscience that no Church can be found upon the earth that professeth the true Religion with more purity of Doctrine then the Church of *England* doth, nor where the Government and Discipline are joyntly more beautified, and free from Superstition, then as they are here established by Law, which (by the grace of God) Wee will with constancy mayntaine (while Wee live) in their Purity and Glory, not only against all invasions of Popery, but also from the irreverence of those many Schismaticks and Separatists; wherewith of late this Kingdom and this City abounds, to the great dishonour and hazard both of Church and State; for the suppression of whom Wee require your timely aid and active assistance.

To the second prayer of the Petition, concerning the reinovall and choice of Councillours, Wee know not any of Our Councill to whom the Character set forth in the Petition can belong. That by those whom Wee had exposed to trial, We have already given you sufficient testimony, that there is no man so neere unto Us in place or affection, whom Wee will not leave to the Justice of the Law, if you shall bring a particular charge and sufficient proofs against him; and of this Wee do again assure you, but in the mean time We wish you to forbear such generall aspersions as may reflect upon all Our Councill, Once you name none in particular,

That for the choice of Our Councillours and Ministers of State, it were to de-

debar Us that naturall liberty all Freemen have; and it is the undoubted right of the Crown of *England*, to call such persons to Our Secret Councils, to publick employment, and Our particular service, as Wee shall think fit; so Wee are, and ever shall be very carefull to make election of such persons in those places of trust, as shall have given good testimonies of their abilities and integrity, and against whom there can be no just cause of exception whereon reasonably to ground a diffidence; and to choices of this nature, Wee assure you that the mediation of the nearest unto Us hath always concurred.

To the third Prayer of your Petition, concerning *Ireland*, Wee understand your desire of not alienating the forfeited Lands thereof, to proceed from your much care and love; And likewise that it may be a Resolution very fit for Us to take, but whether it be seasonable to declare Resolutions of that nature before the events of a warre be seen, that Wee much doubt of. Howsoever, Wee cannot but thanke you for this care, and your cheetfull ingagemēt for the suppression of that Rebellion; upon the speedy effecting thereof, the glory of God in the Protestant Profession, the safety of the British there, Our honour, and that of the Nation so much depends; all the Interests of this Kingdom being so involved in that business. Wee cannot but quicken your affections therein, and shall desire you to frame your Councils, and to give such expedition to the work, as the nature thereof; and the pressures in point of time requires, and whereof you are put in minde by the daily insolence and increase of those Rebels.

For Conclusion, your promise to apply your selves to such courses as may support Our Royall Estate with Honour and Plenty at home, and with Power and Reputation abroad, is that which Wee have ever promised Our Selfe, both from your Loyalties and Affections, and also for what Wee have already done, and shall daily go adding unto for the comfort and happiness of Our people.

His Majesties Declaration, to all His loving Subjects.

Published with the advice of His Privy Councell.

Although Wee do not believe that Our House of Commons intended, by their Remonstrance of the State of the Kingdom, to put Us to any Apologie, either for Our past or present Actions; Notwithstanding, since they

they have thought it so very necessary (upon their Observation of the present Distemper) to publish the same, for the satisfaction of all our loving Subjects, We have thought it very suitable to the duty of Our place (with which God hath trusted us) to doe our part to so good a Worke, in which wee shall not think it below our Kingly dignity to descend to any particular, which may compose and seale the affections of our meanest Subjects, since wee are so conscious to our Self of such upright Intentions and endeavours and onely of such (for which wee give God thanks) for the peace and happinesse of our Kingdom, in which the prosperity of our Subjects must be included, that wee wish from our heart, that even our most secret thoughts were published to their view and examination; Though wee must confesse wee cannot but be very sorry in this conjuncture of time (when the unhappinesse of this Kingdom is so generally understood abroad) there should be such a necessity of publishing so many particulars, from which, we pray, no inconveniences may ensue that were not intended.

Wee shall in few words passe over that part of the Narrative, wherein the Misfortunes of this Kingdome from our first entring to the Crowne; to the beginning of this Parliament, are remembered in so sensible expressions; And that other which acknowledged the many good Laws passed by our Grace and Favour this Parliament, for the Security of our people; Of which we shall onely say thus much, That as wee have not refused to passe any Bill presented to us by our Parliament, for redresse of those Grievances mentioned in the Remonstrance, so wee have not had a greater Motive for the passing those Lawes then our own Resolution (grounded upon our Observation, and understanding the State of our Kingdom) to have freed our Subjects for the future, from those Pressures which were grievous to them if those Lawes had not been propounded, which therefore we shall as inviolably mayntain, as we look to have our own Rights preserved, not doubting but all our loving Subjects will look on those Remedies, with that full gratitude and affection, that even the memory of what they have formerly undergone by the Accidents and necessities of those times, will not be unpleasant to them: And possibly in a pious sence of Gods blessing upon this Nation (how little share soever we shall have of the acknowledgement) they will confesse they have enjoyed a great measure of happinesse (even these last sixteen yeeres) both in peace and plenty, not onely comparatively in respect of their Neighbours, but even of those times which were justly accounted Fortunate.

The Fears and Jealousies which may make some impression in the mindes of our People, We will suppose may be of two sorts; either for Religion, or Liberty, and their civill Interests. The Feares for Religion may haply be, not onely avours here established may be invaded by the Romish party, but

as it is accompanied with some Ceremonies, at which some tender consciences really are, or pretend to be scandalized, for of any other which have beene used without any legall Warrant or Injunction, and already are, or speedily may be abolished, we shall not speak.

Concerning Religion, as there may be any suspicion of favour or inclination to the Papists, We are willing to Declare to all the world. That as Wee have bin from Our child-hood brought up in, and practised the Religion now established in this Kingdome; so it is well knowne, Wee have (not contented simply with the Principles of our Education) given a good proportion of Our time and paines, to the examination of the grounds of this Religion, as it is different from that of *Rome*, and are from Our soule so fully satisfied and assured, that it is the most pure, and agreeable to the Sacred Word of God, of any Religion now practised in the Christian World: That as VVee believe Wee can mayntaine the same by unanswerable Reasons, so Wee hope We should readily seale to it by the effusion of our Bloud, if it pleased God to call us to that sacrifice. And therefore nothing can be so acceptable unto us, as any proposition which may contribute to the advancement of it here, or the propagation of it abroad, being the onely meanes to draw downe a blessing from God upon our selves, and this Nation. And Wee have beene extreemly unfortunate, if this profession of Ours be wanting to Our people: Our constant practice in our own Person, having alwayes been (without ostentation) as much to the evidence of our care and duty herein, as Wee could possibly tell how to expresse.

For differences amongst our selves, for matters indifferent in their owne nature concerning Religion, We shall, in tendernesse to any number of Our loving Subjects, very willingly comply with the advice of Our Parliament, that some Law may be made for the exemption of tender consciences from punishment, or prosecution for such Ceremonies, and in such cases which by the judgment of most men, are held to be matters indifferent, and of some to be absolutely unlawfull. Provided that this ease be attempted, and pursued with that modesty, temper and submission, that in the mean time the peace and quiet of the Kingdome be not disturbed, the decency, and comelinesse of Gods service discountenanced, nor the pious, sober, and devout actions of those Reverend Persons, who were the first labourers in the blessed Reformation, or of that time, be scandal'd and defamed. For Wee cannot without grief of heart, and without some tax upon Our Selfe, and Our Ministers for the not execution of Our Laws, looke upon the bold Licence of some men, in Printing of Pamphlets, in Preaching and Printing of Sermons, so full of bitternesse and malice against the present Government, against the Lawes established, so full of Sedition against Our Selfe, and the peace of the Kingdome,

dome, that We are many times amazed to consider by what Eyes these things are seene, and by what Eares they are heard; And therefore We have good cause to command, as Wee have done, and hereby doe, all Our Judges and Ministers of Justice, Our Attorney and Solicitor Generall, and the rest of Our learned Councell, to proceed with all speed against such, and their Abettors, who either by writing or words, have so boldly and maliciously violated the Lawes, disturbed the peace of the Common-wealth; and, as much as in them lies, shaken the very foundation upon which, that peace and happinesse is founded and constituted. And we doubt not but all Our loving Subjects, will be very sensible that this busie, virulent demeanour is a fit Prologue to nothing but confusion; and if, not very seasonably punished and prevented, will not onely be a blemish to that, whose some accommodation Wee intend, but an unspeakable scandall and imputation, even upon the profession and Religion of this Our Kingdome of *England*.

Concerning the Civill Liberties and Interest of Our Subjects, Wee shall need to say the lesse, having erected so many lasting Monuments of Our Princely and fatherly care of Our People, in whose many excellent Lawes, passed by Us this Parliament, which in truth (with very much content to Our Selfe) We conceive to be so large and ample, that very many sober men have very little left to wish for.

Wee understood well the Right, and pretences of Right, We departed from in the consenting to the Bills of the Trienniall Parliaments for the continuance of this present Parliament, and in the preamble to the Bill of Tunnage and Foundage; the matter of which having begot so many disturbances in late Parliaments, We were willing to remove, that no interest of Ours might hereafter breake that correspondence, abundantly contenting Our Selfe with an Assurance (which We still have) that We should be repaired and supplied by a just proportion of confidence, bounty, and obedience of Our people. In the Bills for the taking away the High Commission and Star-Chamber Courts, We beleeved We had given that reall satisfaction, that all jealousies and apprehensions of Arbitrary pressuures under the Civill or Ecclesiasticall state, would easily have been abandoned, especially when they saw all possible doubts secured by the visitation of a Trienniall Parliament.

These, and others of no meane consideration, We had rather should bee valued in the hearts and affections of Our people; then in any mention of Our owne, not doubting, but as We have taken all these occasions to render their condition most comfortable and happy, so they will alwayes in a gratefull and dutifull relation, be ready with equall tenderresse and alacrity, to advance Our Rights, and preserve Our Honour, upon which their owne security and subsistence so much depends. And We will be so carefull, that no particular shall

be presented unto us for the complearing and establishing that security, to which we will not with the same readinesse contribute our best assistance.

If these resolutions be the effects of our present Councils. (and we take God to witnesse that they are such, and that all our loving Subjects may confidently expect the benefit of them from us) Certainly no ill designe upon the Publick can accompany such Resolutions; neither will there be greater cause of suspicion of any persons preferred by us to degrees of Honour, and places of trust and employment since this Parliament. And wee must confesse, that amongst our misfortunes, we reckon it not the least, That having not retained in our Service, nor protected any one person, against whom our Parliament hath excepted, during the whole sitting of it, and having in all that time scarce vouchsafed to any man an instance of our Grace and Favour, but to such who were under some eminent Character of Estimation amongst our people, there should so soon be any mis-understanding or jealousie of their fidelity and uprightness, especially in a time when wee take all occasions to declare, That We conceive our Self oply capable of being served by honest Men, and in honest ways. How ever, if in truth we have bin mistaken in such our election, the particular shall be no sooner discovered to us, either by our own observation, or other certain information, then wee will leave them to publick Justice under the marks of our displeasure.

If notwithstanding this, any malignant party shall take heart, and be willing to sacrifice the Peace and Happinesse of their Countrey to their own sinister ends and ambitions under what pretence of Religion and Conscience so ever; If they shall endeavour to lessen our Reputation and Interest, and to weaken our lawfull Power and Authority with our good Subjects, if they shall go about, by discountenancing the present Laws, to loosen the Bonds of Government, that all disorder and confusion may break in upon us, Wee doubt not, but God in his good time will discover them unto us, and the wisdom and courage of Our high Court of Parliament joyn with us in their suppression and punishment.

Having now said all that we can, to expresse the cleernesse and uprightness of our Intentions to our people, and done all we can to manifest those Intentions Wee cannot but confidently believe all our good Subjects will acknowledge our part to be fully performed, both in deeds past, and present Resolutions, to do whatsoever with Justice may be required of us, and that their quiet and prosperity depends now wholly upon themselves and is in their own power, by yielding all obedience and due reverence to the Law, which is the inheritance of every Subject, and the onely security he can have for his Life, Liberty, or Estates, and the which being neglected or disesteemed, (under what specious shews soever) a very great measure of Infelicity, is not an irreparable confusion

sion must without doubt fall upon them. And We doubt not it will be the most acceptable Declaration a King can make to His Subjects, that for Our part We are resolv'd not onely duly to observe the Laws of Our Self, but to mayntaine them against what opposition soever, though with the hazard of Our being.

And Our hope is, that not onely the Loyalty and good Affections of all Our loving Subjects, will concur with us in the constant preserving a good understanding between us and our people, but at this time their own and Our interest and compassion of the lamentable condition of our poore Protestant Subjects in *Ireland*, will invite them to a faire intelligence and unity amongst themselves, that so we may with one heart intend the relieving and recovering that unhappy Kingdom, where those barbarous Rebels practice such inhumane & unheard of Outrages upon our miserable people, that no Christian care can heare without horror, nor story parallel. And as we look upon this, as the greatest affliction it hath pleas'd God to lay upon us, so our unhappinesse is increased, in that by the distempers at home, so early remedies have not bin applyed to those growing evils as the expectation and necessity there requires, though for Our part, as wee did upon the first notice acquaint Our Parliament of *Scotland*, (where We then were) with that Rebellion, requiring their aid and assistance, and gave like speedy intimation & recommendation to our Parliament here; so since our return hither, we have bin forward to all things which have bin propos'd to us towards that work, and have lately our Self offer'd (by a Message to our House of Peeres, and communicated to our House of Commons) to take upon us the care to raise speedily 10000 English Voluntiers for that service, if the House of Commons shall declare that they will pay them; which particulars we are (in a manner) necessitated to publish, since we are informed that the malice of some persons hath whisper'd it abroad, That the no speedier advancing of this businesse hath proceeded from some want of alacrity in us to this great work, whereas wee acknowledge it a high crime against Almighty God, and inexcusable to Our good Subjects of our three Kingdoms, if wee did not to the utmost employ all our powers and faculties to the speediest and most effectual assistance and protection of that distressed people.

And we shall now conjure all our good Subjects (of what degree soever) by all the Bonds of Love, Duty, or Obedience, that are precious to good men, to joyn with us for the Recovery of the peace of that Kingdom, and the preservation of the peace of this, to remove all their Doubts and Fears, which may interrupt their affection to us, and all their jealousies and apprehensions which may lessen their charity to each other, and then (if the sins of this Nation have not prepared an inevitable Judgment for us all) God will yet make us a great and glorious King, over a free and happy people.

FINIS.

*A Common Councell held at Guild-hall, in
the City of London, the 31 of
December, 1641.*

C*ommune Concilium tenet in Camera Guild-hall Civit. London, tricesimo
primo die Decemb. 1641, post meridiem, Anno Reg. Dom. nostri Caroli
nunc Regis Angliæ, &c. decimo septimo, coram Richardo Gurney Milite
& Baronetto, Majore Civit. London, Tho: Gardiner Milite, ejusdem Civit. Re-
cord. Ed. Brounfield Milite. & Ed. Wright Mil. & Alderm. dicta Civit. Joha:
Cordell Mil. Joh. Gayer Mil. Jacobo Garrard Mil. ac Alderm. Tho: Atkin
Alderm. John Wallaston Mil. & Alderm. Thom: Adams, Joh. Warner, Joh.
Towse, Abrah. Reynardson, & Thom. Austin prædict. Civit. Alderm. ac Geo-
gio Garret, & Georgio Clarke, Mil. & Alderm. ac Vicecom. Civit. prædict. nec
non majore parte Conciliatorum de Com. Concilio ejusdem Civitat. tunc & ibidem
assemblat.*

AT this Common Councell Master Recorder declared, That by the dire-
ction of the Right Honourable the Lord Major, hee was to signifie to
them the cause of their now Assembly, how that his Lordship had ye-
sterday received a Letter from Sir *Edward Nicholas* Knight, one of his Ma-
jesties Principall Secretaries, intimating that it was his Majesties pleasure, his
Lordship should call a Common Council against this time, and then his Lord-
ship should be advertised of his Majesties further pleasure: And that there
was now at this present in the Councell Chamber an honourable person, being
the Lord *Newburgh*, Chancellour of his Majesties Court of the Duchy, and one
of his Majesties most honourable Privy Councell, come hither to deliver his
Majesties Message or Request to this Court: And thereupon the Right Honou-
rable the Lord *Newburgh* was desired to come into this Court, who being here,
declared and said in this manner; Gentlemen, His Majesty out of his good
affection towards the City, and acknowledging of your great loves lately shew-
ed unto his Highnesse, hath sent me in a Message unto you, assuring it to be the
same contained in a Paper, which hee presented and desired to be read to this
Common Councell, which was accordingly done, the tenour whereof follow-
eth in these words, viz.

T Here having bin of late many tumultuary and riotous Assemblies of people about our Palaces of White-hall and Westminster, to the great disturbance of us and our Parliament : and We having received information, that some ill-affected persons do still endeavour to incite the like Tumults againe, Wee have thought fit to recommend to your especiall care the preventing them, as far as in you lies, especially the ensuing Holydays, at which the idlenesse of many may make them apter to such disorders. We have thought fit likewise to let you know, that We are so well assured of the good affections of our City of London, by the great expressions which it hath made unto us of late, that We can in no wise understand it to have any share in the fault of these tumults and distempers, but that they proceed meerly from the mean and unruly people of the Suburbs. And as Wee are most confident of the hearts and good affections of our City of London towards us and our Government, and will not entertain any other opinion ; so We do desire them not to be disturbed by any jealousies that ill-affected persons may endeavour to sow, but to rest most confident and assured, that the safety, the protection, and the prosperity of the City shall ever be with us a principall care.

After the reading of which most gracious Messag^e, whereby is fully manifested and expressed his Majesties gracious goodnesse, and great care for the safety and prosperity of this City (The Lord Newburgh having withdrawn himselfe) this Common Councell took the same into their serious consideration, and how for the present to return by this Honourable person unto his Majesty an Answer with all humility and thankfulness; And after much debate, it was fully agreed and resolved of by this Common Councell, That in the first place should be returned and rendred unto his Majestie from this Common Councell, as the Representative Body of the whole City, their humble duty in all thankfull manner, for his goodnesse and gracious love and care manifested to this City.

Secondly, that it should be signified unto his Majestie, This Court, nor any particular member thereof, hath had any hand in these Tumultuous and Riotous proceedings, and that they, and every of them doe disavow and disclaime the same.

Thirdly, That it may be likewise signified, That this Court (as the Representative Body of the whole City) doth promise from hence-forth their best endeavours to prevent and suppress in time to come (as far as in them lyeth) all such, or the like Tumultuous Assemblies, and all Mutinous and Rebellious persons.

And lastly, That the humble desire of this Court may be presented unto his Majesty, to graciously pleased, that all the Delinquents and causers of these
Tu-

Tumults, whatsoever they be, being apprehended, may be brought into examination; and receive condigne punishment according to the Law.

And these foure things thus agreed upon were by direction of this Common Councell here openly declared and delivered by the mouth of Master Recorder, unto that Honourable Person the Lord *Newburgh* here present, with desire that the same should be by his Lordship accordingly presented unto his Majesty, the which he promised to performe with trust.

And afterwards this Court entred into further consultation and debate touching the tumultuous and riotous Assemblies lately spread night and day in severall parts of this City, to the great trouble and affrightment of His Majesties good Subjects, and also touching the great neglect of that due respect which ought to be given by the Inhabitants of this City, to the severall Precepts lately issued out by my Lord Major for a continuall Watch and Ward, day and night for prevention and suppression of such Tumults and Distempers.

And likewise touching the great neglect in appearance of the Trained Bands of this City to their Colours at the beat of the Drum, especially in these times of danger, in contempt of Authority, being a matter of exceeding great consequence, and not fit to be suffered. And thereupon this Common Councell taking much to heart, that such disobedience should grow and be found in the Inhabitants of this City, to the great disrespect of Magistracy and contempt of Government; And that such Disorders and Tumultuary Assemblies should be permitted in such a City as this, formerly famous for the good and quiet Government thereof, hath thought it very expedient and behovefull, for redresse and remedy to be had in these abuses, being not fit to be any longer endured, That every Member of this Common Councell now assembled, shall in their severall Precincts spread it abroad, and make it known, That if any person, or persons, shall from hence-forth neglect his duty and service to be performed, as aforesaid, and shall not doe his best endeavour to suppress, or prevent any Tumults, or Riotous Assemblies, that shall hereafter be attempted within this City, or Liberties thereof, that then he or they offending, shall receive condigne punishment according to his or their demerits.

And it is further thought fit, and so agreed by this Common Councell, that my Lord Major may send out his Precepts in such manner, and to such purpose, as his Lordship, and his Brethren the Aldermen, shall think fit, for Watch and Ward, raising of Arms, or otherwise, for the safety and preservation of this City; to which this Court, and all the Members thereof, promise all due and cheerefull obedience.

His Majesties Message sent by the Lord Chamberlain to the House of Peers, the 28 of December 1641.

HIS Majestie being very sensible of the great Miseries and Distresses of His Subjects in the kingdome of *Ireland*, which goe daily increasing so fast, and the Blood which hath been already spilt by the crueltie and barbarousnesse of those Rebels, crying out so loud; and perceiving how slowly the Succours designed thither go on: His Majesty hath thought fit to let your Lordships know, and desires you to acquaint the House of Commons therewith, That His Majestie will take care, that by Commissions which He shall grant, ten thousand English Voluntiers shall be speedily raised for that Service, if so the House of Commons shall declare that they will pay them.

By the King.



Whereas divers lewd and wicked persons have of late risen in Rebellion in Our Kingdom of *Ireland*, surprized others of Our Forts and Castles, possessed themselves thereof, surprized some of Our Garrisons, possessed themselves of some of Our magazines of Arms and Ammunition, dispossessed many of Our good and loyall Subjects of the British Nation and Protestants of their Houses and Lands, robbed and spoiled many thousands of Our good Subjects of the British Nation and Protestants of their goods, to great values, massacred multitudes of them, imprisoned many others, and some who have the honour to serve Us as *Private* Councillours of that Our Kingdom: We therefore having taken the same into Our Royall consideration, and abhorring the wicked disloyaltie and horrible acts committed by those persons do hereby not onely declare Our iust indignation thereof but also do declare them and their Adherents, and Abettors, and all those who shall hereafter join with them, or commit the like acts on any of Our good Subjects in that Kingdom to be Rebels and Traitors against Our Royall Person, and enemies to Our Royall Crown of England and *Ireland*.

And we do hereby strictly charge and command all those persons, who have

have so presumed to rise in Arms against Us and Our Royall authority (which We cannot otherwise interpret then Acts of high Rebellion and detestable disloyaltie, when therein they spoil and destroy Our good and Loyall Subjects of the Brittish nation, and Protestants) That they immediately lay down their Arms, and forbear all further Acts of Hostility: wherein if they fail, We do let them know, That We have authorized Our Justices of Ireland, and other Our chief Governour or Governours, and Generall, or Lieutenant Generall of Our Army there; And do hereby accordingly require and authorize them, and every of them to prosecute the said Rebels and Traitors with fire and sword as persons who by their high disloyalty against Us their lawfull and undoubted King & Sovereign, have made themselves unworthy of any mercy or labour. wherein Our said Justices or other chief Governour or Governours, and Generall or Lieutenant Generall of Our said Army shal be countenanced and supported by Us and by Our powerfull succours of Our good Subjects of England and Scotland, that so they may reduce to obedience those wicked disturbers of that Peace, which by the blessing of God that Kingdom hath so long and so happily enjoyed under the government of Our Royall Father and Us. And this Our Royall pleasure, We do hereby require Our Justices, or other chief Governour or Governours of that Our Kingdom of Ireland, to cause to be published and Proclaimed in, and throughout Our said Kingdom of Ireland.

Given under Our Signet at Our Palace at Westminster, the first day of January, in the seventeenth yeer of Our Reign. 1641.

God save the King.

Articles of High Treason, and other Misdemeanours against the Lord Kimbolton, Mr. Pym, John Hampden, Denzill Hollis, Sir Arthur Haslerig, and William Strode, being all Members of the House of Commons.

That they have traiterously endeavoured to subvert the Fundamentall Lawes and Government of this Kingdome, and deprive the King of his Legall power, and to place on subjects an Arbitrary and tyrannicall power.

II. Tha

II. That they have endeavoured by many foule aspersions upon his Majesty and his Government, to alienate the affections of his people, and to make his Majesty odious to them.

III. That they have indeavoured to draw his Majesties late Army to disobedience to his Majesties command, and to side with them in their Trayterous designe.

IV. That they have Trayterously invited and encouraged a forraigne power to invade his Majesties Kingdome of *England*.

V. That they have Traiterously indeavoured to Subvert the very Rights and Beings of Parliaments.

VI. That for the completing of their trayterous designes, they have endeavoured as farre as in them lay, by force, and terror, to compell the Parliament to joyn with them in their Trayterous designes, and to that end, have actually raised, and countenanced Tumults against the King and Parliament.

VII. That they have trayterously conspired to Leavy, and actually have Leavied warre against the King.

Die Lune, 3. Ianuar. 1641.

IT is this day ordered upon the question, by the Commons House of Parliament, That if any persons whatsoever, shall come to the Lodgings of any Member of this House, and there doe offer to Seale the Trunks, Doores, or Papers of any Members of this House, or to seize upon their persons; That then such Members shall require the aid of the Constable, to keepe such persons in safe custodie, till this House doe give further Order. And this House doth further declare, That if any person whatsoever, shall offer to arrest or detain the person of any Member of this House, without first acquainting this House therewith, and receiving further Order from this House; That it is lawfull for such Member, or any person, to assist him, and to stand upon his, and their guard of defence, and to make resistance, according to the Protestation taken, to defend the priviledges of Parliament.

H. Elsynge, Cler. Parl. D. Com.

His Majesties Speech in the House of Commons,

4^o Ianuarii 1641.*Gentlemen,*

I Am sorry for this occasion of coming unto you : yesterday I sent a Sergeant at Armes upon a very important occasion, to apprehend some that by my command were accused of high Treason, whereunto I did expect Obedience, and not a Message. And I must declare unto you here, that albeit no King that ever was in *England* shall bee more carefull of your Priviledges, to maintaine them to the uttermost of his power then I shall bee ; yet you must know, that in cases of Treason, no person hath a priviledge and therefore I am come to know if any of those persons that were accused are here ; for I must tell you, Gentlemen, that so long as these persons that I have accused (for no slight crime, but for Treason) are here, I cannot expect that this House can be in the right way that I doe heartily wish it : Therefore I am come to tell you, that I must have them wheresoever I finde them : well, sithence I see all the Birds are flowne, I doe expect from you, that you shall send them unto mee as soone as they returne hither : But I assure you, in the word of a King, I never did intend any force, but shall proceed against them in a legall and faire way, for I never meant any other.

And now sithence I see I cannot doe what I came for, I thinke this no unfit occasion to repeat what I have said formerly ; That whatsoever I have done in favour, and to the good of my Subjects, I doe mean to maintain it.

I will trouble you no more, but tell you, I doe expect as soone as they come to the House, you will send them to me, otherwise I must take my owne course to find them.

FINIS.

Die Mercurii 5 Ianuary, 1641.

Commons House of Parliament.

VV Hereas his Majesty in his Royall Person yesterday being the fourth of *January*, 1641, did come to the House of Commons attended with a great multitude of men armed in a warlike manner, with Halberts, Swords, and Pistols, who came up to the very doore of the House

House, and placed themselves there, and in other places and passages neere to the House, to the great terrour and disturbance of the Members thereof, then sitting, and according to their duty, in a peaceable and orderly manner treating of the great affaires of both Kingdomes of *England* and *Ireland*; And his Majesty having placed himself in the Speakers Chaire, did demand the Persons of divers Members of the House to be delivered unto Him.

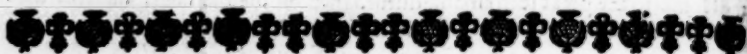
It is this day declared by the House of Commons, that the same is a high breach of the Rights and Priviledges of Parliament, and inconsistent to the Liberty and Freedome thereof: and therefore this House doth conceive they cannot with the safety of their own Persons, or the indemnity of the Rights and Priviledges of Parliament, sit here any longer, without a full vindication of so high a breach and a sufficient Guard wherein they may confide; for which both Houses ioyntly, and this House by it selfe, have been humble Suitors to his Maiestie, and cannot as yet obtain.

Notwithstanding which this House being very sensible of the greatest trust reposed in them; and especially at this time of the manifold distractions of this Kingdom, and the lamentable and distressed condition of the Kingdom of *Ireland*; doth Order, that this House shall be Adjourned untill Tuesday next at one of the clocke in the afternoon, and that a Committee be named by this House, and all that wil come shall have voyces, which shall sit at the Guild-hall in the City of *London*, to morrow morning at nine of the clocke, and shall have power to consider and resolve of all things that may concerne the good and safety of the City and Kingdom, and particularly how our Priviledges may be vindicated, and our Persons secured. And to consider of the Affaires and reliefe of *Ireland*; and shall have power to consult and advise with any person or persons, touching the premisses, and shall have power to send for parties, witnesses, papers and Records.

And it is further ordered, that the Committee for the Irish Affairs shall meet at the Guild-hall aforesaid, at what time they shall thinke fit; and consult and do touching the Affairs of *Ireland*, according to the power formerly given them by this House; and both the said Committees shall Report the Results of their consideration and Resolution to this House.

Master Chancellour of the Exchequer. M. Glyn. M. Whitlock. Lord Faulkland. Sir Phel. Stapleton. M. Nath. Fines. Sir Ralph Hopton. Sir John Hotham. Sir Walter Earl. Sir Robert Cook. Sir Tho. Walsingham. Sir Samuel Roll. M. Perpoint. M. Wals. Long. Sir Rich. Cave. Sir Ed. Hungerford. M. Grimston. Sir Christ. Wray. Sir Ben. Rudyard. Sir John Hoppeley. M. Herbert Price. Sir John Wray. Sir Thomas Barrington. M. Wheeler. Sir Will. Liston.

This is the Committee appointed by the former Order, and are to pursue the directions of the former Order: And all that will come are to have voices at this Committee.



A Declaration of the House of Commons, touching a
late Breach of their Priviledges ; And for the Vin-
dication thereof, and of divers Members
of the said House.

VV Hereas the Chambers, Studies, and Truncks of *M. Denzil Hollis*,
Sir Arthur Haslerigge, Master *John Pym*, Master *John Hampden*,
and Master *William Strode* Esquires, Members of the House of
Commons, upon Munday the third of this instant *January*, by colour of His
Majesties Warrant have been sealed up by *Sir William Killigrew*, and *Sir Wil-*
liam Flemen, and others, which is not only against the Priviledge of Parlia-
ment, but the Common Liberty of every Subject: Which said Members af-
terwards, the same day were under the like colour, by Serjeant *Francis*, one of
His Majesties Serjeants at Armes, contrary to all former Presidents demanded
of the Speaker sitting in the House of Commons to be delivered unto him, that
he might Arrest them of high Treason. And whereas, afterwards the next day
His Majesty in His Royall Person, came to the said House attended with a
great multitude of men armed in warlike manner, with Halberts, Swords, and
Pistols, who came up to the very doore of the House, and placed themselves
there, and in other places, and passages neere to the said House, to the great ter-
rour and disturbance of the Members then sitting ; and according to their duty
in a peaceable, and orderly manner, treating of the great Affaires of *England*,
and *Ireland*. And his Majesty having placed himselfe in the Speakers Chair,
demanded of them the Persons of the said Members to be delivered unto him,
which is a high Breach of the Rights and Priviledges of Parliament, and In-
consistent with the Liberties, and Freedome thereof. And whereas afterwards
his Majesty did issue forth severall Warrants to divers Officers, under his own
hand, for the apprehension of the Persons of the said Members, which by Law
he cannot doe ; there being not all this time, any Legall charge or accusation,
or due Proceffe of Law issued against them, nor any pretence of charge made
known to that House ; all which are against the Fundamentall Liberties of the
Subject, and the Rights of Parliament. Whereupon we are necessitated, accord-
ing to our duty, to declare. And wee doe hereby declare, that if any Person
shall

shall Arrest Master *Hollis*, Sir *Arthur Haslerigge*, Master *Pym*, Master *Hampden*, and Master *Strode*, or any of them, or any other Member of Parliament, by pretence or colour of any Warrant issuing out from the King only, is guilty of the Breach of the Liberties of the Subject, & of the Priviledge of Parliament, and a publike enemy to the Common-wealth. And that the arresting of the said Members, or any of them, or of any other Member of Parliament, by any Warrant whatsoever, without a legall Proceeding against them, and without consent of that House, whereof such Person is a Member, is against the Liberty of the Subject, and a breach of Priviledge of Parliament; And the Person which shall Arrest any of these Persons, or any other Member of the Parliament, is declared a publike enemy of the Common-wealth. Notwithstanding all which, wee think fit, further to declare that we are so far from any endeavours to protect any of our Members, that shall be in due manner prosecuted according to the Laws of the Kingdom, and the Rights and Priviledges of Parliament for Treason, or any other misdemeanours, That none shall be more ready and willing then we our selves to bring them to a speedy and due triall, being sensible that it equally imports us, as well to see Justice done against them that are Criminous, as to defend the just Rights and Liberties of the Subjects, and Parliament of England.

And whereas upon severall Examinations taken the seventh day of this instant *January*, before the Committee appointed by the House of Commons, to sit in *London*, it did fully appear, that many Souldiers, Papists, and others, to the number of about five hundred, came with His Majesty on Tuesday last, to the said House of Commons, armed with Swords, Pistols, and other Weapons; and divers of them pressed to the doore of the said House, thrust away the Door-keepers, and placed themselves, between the said doore, and the ordinary Attendants of his Ma. holding up their Swords, and some holding up their Pistols ready cock'd neer the said doore; and saying, I am a good Marksmen, I can hit right I warrant you, and they not suffering the said doore, according to the custome of Parliament to be shut, but said they would have the doore open, and if any opposition were against them, they made no question, but they should make their party good, and that they would mayntain their party; and when severall Members of the House of Commons were comming into the House, their Attendants desiring that Room might be made for them, some of the said Souldiers answered, A Pox of God confound them; and others said, A Pox take the House of Commons, let them come and be hanged; what a do is here with the House of Commons; and some of the said Souldiers did likewise violently assault, and by force disarme some of the Attendants, and Servants of the Members of the House of Commons, waiting in the Roome next the said House, and upon the Kings return out of the said House, many of them by

wicked Oaths, and otherwise, exprest much discontent, that some Members of the said House, for whom they came were not there, and others of them said when comes the word, and no word being given at his Majesties coming on they cryed a lane, a lane; afterwards some of them being demanded, what they thought the said company intended to have done, answered, That questionless in the posture they were set, if the word had been given, they should have false upon the House of Commons, and have cut all their throats. Upon all which we are of opinion, that it is sufficiently proved, that the coming of the said Souldiers, Papists, and others with his Majesty to the House of Commons on Tuesday last, being the fourth of this instant *January*, in the manner aforesaid, was to take away some of the Members of the said House; and if they should have found opposition or deniall, then to have false upon the said House in a hostile manner, And wee doe hereby declare that the same was a traitorous designe against the King and Parliament. And whereas the said Master *Hollis*, Sir *Arthur Haslerigge*, Master *Pym*, Master *Hampden*, and Master *Strode*, upon report of the coming of the said Souldiers, Papists, and others in the warlike and hostile manner aforesaid, did with the approbation of the House absent themselves from the service of the House, for avoiding the great and many inconveniences, which otherwise apparantly might have hapned: Since which time a Printed Paper in the form of a Proclamation, bearing date the sixth day of this instant *January*, hath issued out for the apprehending, and imprisoning of them; Therein suggesting that through the conscience of their owne guilt, they were absent and fled, not willing to submit themselves to Justice; We do further declare that the said Printed Paper is false, scandalous and illegall, and that notwithstanding the said Printed Paper, or any Warrant issued out, or any other matter yet appearing against them, or any of them; they may and ought to attend the service of the said House of Commons, and the severall Committees now on foot. And that it is lawfull for all persons whatsoever to lodge, harbour, or converse with them, or any of them; And whosoever shall be questioned for the same, shall be under the protection and priviledge of Parliament.

And we do further declare, That the publishing of severall Articles purporting a form of a charge of high Treason against the Lord *Kimbolton*, one of the Members of the Lords House, and against the said Master *Hollis*, Sir *Arthur Haslerigge*, Master *Pym*, Master *Hampden*, and Master *Strode*, by Sir *William Killigrew*, Sir *William Flemen*, and others in the Innes of Court and elsewhere in the Kings Name, was a high Breach of the Priviledge of Parliament, a great scandall to his Majesty and his Government: A seditious Act manifestly tending to the subversion of the Peace of the Kingdome and an injury, and dishonour to the said Members, there being no legall charge or accusation against them.

That the priviledges of Parliament, and the Liberties of the Subject so violated and broken, cannot be fully and sufficiently vindicated, unlesse his Majesty will be graciously pleased, to discover the names of those persons, who advised his Majesty to issue out Warrants for the sealing of the Chambers, and Studies of the said Members, to send a Serjeant at Arms to the House of Commons, to demand their said Members, to issue out severall Warrants under his Majesties own hand, to apprehend the said Members. His Majesties comming thither in his own Royall Person. The publishing of the said Articles, and Printed Paper in the forme of a Proclamation against the said Members in such manner as is before declared; To the end that such persons may receive condigne punishment.

And this House doth further declare, That all such persons as have given any Counsell or endeavoured to set or mayntain division or dislike, between the King and Parliament, or have listed their names or otherwise entred into any combination or agreement, to be ayding, or assisting, to any such counsell or endeavour, or have perswaded any other so to do, or that shall doe any the things above-mentioned; And shall not forth-with discover the same to either House of Parliament: Or the Speaker of either of the said Houses respectively, and disclaime it, are declared publike enemies of the State and Peace of this Kingdome, and shall be enquired of, and proceeded against accordingly.

Die Luna 17. Januarii, 1641. It is this day ordered, by the Commons assembled in Parliament, that this Declaration shall be forth-with published in Print.

H. Elfyng Cler. Parl. D. Com.

To the Kings most Excellent Majesty, and the Lords and Peers now assembled in Parliament.

The humble Petition and Protestation of all the Bishops and Prelates now called by his Majesties Writs to attend the Parliament, and present about London and Westminster, for that service.

THAT whereas the Petitioners are called up by severall and respective Writs and under great penalties, to attend in Parliament, and have a cleere and indubitate Right to Vote in Bills, and other matters whatsoever, debate-
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able in Parliament, by the ancient Customes, Laws, and Statutes of this Realm, and ought to be protected by your Majesty, quietly to attend and prosecute that great Service.

They humbly remonstrate and protest before God, your Majesty and the Noble Lords and Peers now assembled in Parliament, That as they have an indubitate Right to sit and Vote in the House of the Lords, so are they (if they may be protected from force and violence) most ready and willing to performe their Duties accordingly. And that they do abominate all Actions or Opinions tending to Popery, and the mayntenance thereof; as also, all propension and inclination to any malignant party, or any other side or party whatsoever, to the which their own Reasons and Consciences shall not move them to adhere.

But whereas they have bin at severall times violently Menaced, Affronted, and Assaulted by multitudes of people, in their comming to performe their Services in that Honourable House; and lately chased away, and put in danger of their lives, and can find no redresse or protection, upon sundry complaints made to both Houses in these particulars.

They likewise humbly protest before your Majesty, and the Noble House of Peers, That saving unto themselves all their Rights and Interests of Sitting and Voting in that House at other times, they dare not Sit or Vote in the House of Peers, untill your Majestie shall further secure them from all Affronts, Indignities and dangers in the premisses.

Lastly, Whereas their fears are not built upon Phantasies and Conceits, but upon such Grounds and Objects, as may well terrifie men of good Resolutions, and much Constancy. They doe in all duty and humility, protest before your Majesty, and the Peers of that most Honourable House of Parliament, against all Laws, Orders, Votes, Resolutions, and Determinations, as in themselves Null, and of none effect; which in their absence, since the 27 of this instant Moneth of *December 1641*, have already passed; as likewise against all such as shall hereafter passe in that most Honourable House, during the time of this their forced and violent absence from the said most Honourable House; not denying, but if their absenting of themselves were wilfull and voluntary, that most Honourable House might proceed in all these premisses, their absence or this their Protestation notwithstanding.

And humbly beseeching your most excellent Majesty to command the Clerk of that House of Peers, to enter this their Petition and Protestation amongst records.

They will ever pray to God to blesse and preserve, &c.

John Eborac. Thomas Duresme. Robert Co. & Lich. Jos. Norwich. Jo. Asaphen. Guil. Ba. & Wels. Geo. Hereford. Rob. Oxon. Mat. Ely. Godfr. Glouc. Jo. Peterburg. Mor. Llandaff.

Vera copia, John Brown Cleric. Parl.

THe House of Lords was pleased on the thirtieth of *December*, to send a Message to the House of Commons, by Sir *John Banks*, and Judge *Reeves*, to desire a present Conference, by a Committee of both Houses, touching matters of dangerous and high consequence.

And at the Conference, the Lord Keeper, in the name of the House of Peers, delivered as followeth :

That this Petition and Protestation of the 12 Bishops, containing matters of high and dangerous Consequence, and such as my Lords are very sensible of, and such as require a speedy and sudden Resolution ; it extending to the deep encroaching upon the Fundamentall Priviledges and Being of Parliament, Therefore the Lords have thought fit, that this matter, concerning the whole Parliament, may be communicated to the House of Commons ; It being a thing of so great and so generall Concernment.

This being thus communicated to the House of Commons, they came to this Resolution, To accuse these 12 Bishops of high Treason, for endeavouring to subvert the fundamentall Laws and Being of Parliaments.

And Master *Glyn* was ordered to go to the Lords, and at their Bar, in the name of the House of Commons, and all the Commons of *England* ; To accuse these 12 Prelats of high Treason, for endeavouring to subvert the Fundamentall Laws of the Realm, and the very Being of Parliaments, manifested by preferring that Petition and Protestation ; And to desire the Lords that they may be forthwith sequestred from Parliament, and put into safe custody, and that their Lordships would appoint a speedy day for the Commons to charge them, and they to answer, for that the Commons were ready to make good their Charge.

Hee was further ordered to give the Lords thanks for communicating this Petition, with so much affection and speed, and for expressing their sense thereof.

After M. *Glyn* had delivered this at the Bar, the Lords sent the Black Rod instantly, to finde out these Bishops, and apprehend them ; and by eight of the clock at night, they were all taken and brought upon their knees to the Bar, and ten of them committed to the Tower ; and two (in regard of their age, and indeed of the worthy parts of one them, the learned Bishop of *Durham*) were committed to the Black Rod,

A Proposition or Message, sent the 31 of Decem-
ber 1641, to his Majesty,

By the House of Commons for a Guard.

Most Gracious Sovereigne,

WEE are sent by the Knights, Citizens, and Burgeſſes of the Houſe of Commons, your faithfull and loyall Subjects (who are ready to lay down their lives and fortunes, and ſpend the laſt drop of their blood to mayntain your Crowne and Royall Perſon in greatneſſe and glory, and do by us caſt themſelves down at your Royall feet) to preſent unto your Maſteſty their humble deſires upon their great apprehenſions, and juſt feares of miſchievous deſignes and practices to ruine and deſtroy them. There have been ſeverall attempts heretofore to bring deſtruction upon their whole Body at once, and threats and menaces againſt particular perſons. There is a malignant party bitterly invenomed againſt them, daily gathering ſtrength and confidence, and now come to ſuch height as they have given boldneſſe to ſome to imbrue their hands in the blood of your Subjects, in the face and at the doors of the Parliament, and at your Maſteſties own gates, and have given out inſolent and menacing ſpeeches againſt the Parliament it ſelf. This cauſeth great diſtractions among the people in generall, and much fear and apprehenſion in the Houſe of Commons; That they conceive they cannot with the ſafety of their perſons (upon which the ſafety and peace of the whole Kingdome doth now depend) ſit any longer unarmed and unguarded, as they are. They have therefore their recourſe unto your Maſteſty, moſt humbly beſeeching you, that it may ſtand with your good liking, if they provide for their own ſafety, which the very law of Nature and Reaſon doth allow unto them; It is their humble deſire, that they may have a Guard out of the City of London, commanded by the Earl of Eſſex, Lord Chamberlain of your Maſteſties Houſhold, of whoſe fidelity to your Maſteſty and the Common-wealth, they have had long experience. By this your Maſteſties Grace and Favour, you will remove their feares, fill them with comfort and aſſurance, and inable them to ſerve your Maſteſty in ſuch a way as ſhall render your Maſteſty and your Government happy and glorious. And to this they do moſt humbly deſire your Maſteſties gracious and ſpeedy Answer, becauſe their ſafety, and the ſafety of the whole Kingdome depends upon it, and will not admit of any delay.

His Majesties answer to the Message or Proposition,
sent the last of December past by the House
of Commons for a Guard.

WE have taken the last Message from you, touching your desire of a Guard into serious consideration, and truly with great grief of heart (that after a whole yeers sitting of this Parliament, wherein you have obtained those things, for the happinesse and security of your selves, and the rest of Our Subjects, as no age can equall) instead of reaping in peace and tranquillity the fruits of your Labours, and of Our Grace and affection to Our People, We should finde jealousies, Distrusts, and Fears still so prevalent amongst you, as to induce you to declare them unto us, in so high a measure as you have done at this time.

We are wholly ignorant of the grounds of your apprehensions, but this Wee doe protest before Almighty God (to whom We must be accountable for those, whom he hath intrusted to Our care and protection) that had We any knowledge, or believe of the least Designe in any of Violence, either formerly, or at this time, against you, We would pursue them to condigne punishment, with the same severity and detestation, that We would do the greatest attempt upon Our Crown.

We know the Duty of that place where God hath set us, the Protection Wee owe to all Our loyall Subjects, and most particularly to you, called to Our Service by Our Writs; And We do ingage unto you solemnly the word of a King, That the security of all and every one of you from violence is and shall ever be as much Our care, as the Preservation of us and Our Children.

And if this generall Assurance shall not suffice to remove your Apprehensions We will command such a Guard to wait upon you, as We will be responsible for to Him, who hath encharged us with the Safety and Protection of Our Subjects.

Whitehall, 3 Jan. 1641.

FINIS.

To the Kings most Excellent Majestie.

The humble Petition of the Major, Aldermen, and
Common Councell, of the City of London.

MAY it please your most excellent Majestie; The often expressions of your most gracious acceptance of the manifestation of the Petitioners duty and loyalty, and the frequent Declarations of your Majesties great care of the good and welfare of this City, and of the true Protestant Religion,

ligion, and of protecting and preserving the Persons and Priviledges of your great Councell assembled in the high Court of Parliament: Each encouraged the Petitioners to represent the great Dangers, Fears, and Distractions wherein the City now is, by reason of the prevailing progresse of the bloody Rebels in *Ireland*, fomented, and acted by the Papists and their Adherents, and want of Aid to suppress them, and the severall intimations they have had both Forreigne and at Home, of the driving on of their Designes, tending to the utter ruine of the Protestant Religion, and of the Lives and Liberties of your Majesties loyall Subjects, the putting out of Persons of Honour and trust from being Constable and Lievtenant of the Tower, especially in these times, and the preparations there lately made, the fortifying of *Whitehall*, with men and Munition in an unusuall manner: Some of which men with provoking language and violence, abused divers Citizens passing by, and the drawing divers swords, and therewith wounding sundry other Citizens in *Westminster-hall*, that were unarmed: the late endeavours used to the Innes of Court, the calling in divers Canoniers and other assistance into the Tower, the late Discovery of divers Fire-works in the hands of a Papist, and the mis-understanding betwixt your Majesty and Parliament, by reason of misinformation, as they humbly conceive.

Besides all which the Petitioners feares are exceedingly encreased by your Majesties late going into the House of Commons attended with a great multitude of armed men besides your ordinary Guard, for the apprehending of divers Members of that House to the endangering of your Sacred Person, and of the Persons and Priviledges of that Honourable Assembly.

The effects of all which Fears tend, not only to the overthrow of the whole Trade of this City and Kingdom, which the Petitioners already feel in a deep measure, but also threatens the utter ruine of the Protestant Religion, and the Lives and Liberties of all your loyall Subjects.

The Petitioners therefore most humbly pray your Sacred Majesty, That by the advice of your great Councell in Parliament, the Protestants in *Ireland* may be speedily relieved, The Tower put into the hands of persons of trust: That by removall of doubtfull and unknown persons from about *White-hall* and *Westminster*, a known and approved Guard may be appointed for the safety of your Majesty and Parliament, and that the Lord *Mandevill* and the five Members of the House of Commons lately accused, may not be restrained of Liberty, or proceeded against, otherwise then according to the priviledges of Parliament.

And the Petitioners (as in all duty bound) shall pray for Your Majesties most long and happy Reign, &c.

His

His Majesties answer to the Petition of the Major, Aldermen, and Common-councell of the City of *London*.

His Majesty having fully considered the matter of this Petition, is graciously pleased to declare, that being unalterably resolved to make good all his Expressions and Declarations of his care of this City, Of the true Protestant Religion, and of the privileges of Parliament; His Majesty takes in good part, the intimation given by the Petitioners of the fears and distractions wherein the City now seems to be. And though He conceives He did on Wednesday at the Guild-hall satisfie most of those particulars, is pleased to adde this further Answer.

1 That for the sad businesse of *Ireland*, His Majesty cannot possibly express a greater sence then Hee hath done, there being nothing left on His Majesties part unoffered or undone. And Hee hoped by the speedy advice and assistance of His Parliament, that great and necessary Worke would be put in a just forwardnesse, to which his Ma. will contribute all His power: And how zealous He is and hath bin therein, will appear in a Declaration speedily to be set forth by his Majesty.

2 For the Tower: His Majesty wonders, that having removed a Servant of good Trust and Reputation, from that Charge, onely to satisfie the fears of the City, and put in another of unquestionable Reputation, and known ability, the Petitioners should still entertaine those fears; and what-ever preparation of Strength is there made, is with as great an Eye of Safety and advantage to the City, as to his Majesties owne Person, and shall be equally employed to both.

3 For the fortifying of *White-hall*, with Men and Munition in an unusuall way: His Majesty doubts not, but the Petitioners have observed the strange provocation he hath received to entertain that Guard: That by the disorderly, and tumultuous conflux of people at *Westminster* and *White hall*, his Majesties great Councell was not onely disquieted, but his own Royall Person in danger, most seditious language being uttered even under his owne windows, whilest the examination and punishing such Tumults by the course of Law were interrupted and stopped. And if any Citizens were wounded or ill intreated, his Majesty is confidently assured, that it hapned by their owne evill and corrupt demeanours.

4 His Majesty knows no other endeavours to the Innes of Court, then a gracious intimation, That He received the tender of their loyall and dutifull Affections:

tions with very good Approbation and Acceptance, and an encouragement given them to continue the same upon all occasions. Neither doth his Majesty know, what discovery hath bin lately made of Fire-works in the hands of any Papist.

5 For his going to the House of Commons (when his Attendants were no otherwise armed then as Gentlemen with Swords) his Majesty is verily perswaded, That if the Petitioners knew the cleer grounds upon which those persons stand accused of high Treason, and what will be proved against them (which in due time they shall be acquainted with) and considered the gentle way his Majestie took for their apprehension (which hee preferred before any course of violence, though that way had bin very justifiable; for his Majestie is very well assured, that it is notoriously known, That no priviledge of Parliament can extend to Treason, Felony, or breach of the Peace) the Petitioners would believe his Majesties going thither was an Act of grace and favour to that House, and the most peaceable way of having that necessary service for the apprehension of those persons performed; specially, if such Orders have bin made (which his Majesty is not willing to believe) for the resistance of all lawfull Authority, as are discoursed of.

6 And for the proceedings against those Persons mentioned in the Petition: his Majesty ever intended the same should be with all justice and favour according to the Laws and Statutes of the Realme; to the which all innocent men would cheerfully submit.

And this extraordinary way of satisfying a Petition of so unusuall a nature, his Majesty is confidently perswaded, will be thought the greatest instance can be given of Majesties cleer intention to his Subjects, and of the singular estimation he hath of the good affections of the City, which he believes in gratitude will never be wanting to his just Commands and Service.

FINIS.

By the King.

*A Proclamation for a generall Fast throughout
this Realm of England.*

His Majesty taking into his Princely and Pious consideration the lamentable and distressed estate of his good Subjects in his Majesties
King.

Kingdom of Ireland, and conceiving it to be a lust and great occasion calling upon Him, and His people of this His Kingdom of England for a generall humiliation of all estates of this Kingdom before Almighty God, in Prayer and Fasting, for drawing down His Mercy and Blessing upon that Kingdom: His Majestie doth therefore by this His Proclamation straitly charge and command, that a Generall, Publike, and Solemn Fast be kept, and holden, as well by abstinence from Food, as by publike Prayers, preaching, and hearing of the Word of God, and other Sacred duties, in all Cathedral, Collegiate, and Parish Churches and Chappels within this His Majesties Kingdom of England, and Dominion of Wales (His Majesties Cities of London and Westminster onely excepted, where it hath already been observed) on the twentieth day of this present moneth of January.

And His Majestie doth further by this His Proclamation straitly charge and command, that a Generall, Publike, and Solemn Fast be kept and holden as well by abstinence from Food, as by publike Prayers, Preaching, and hearing of the Word of God, and other sacred Duties, in all Cathedral, Collegiate, and Parish Churches, and Chappels within this Kingdom of England and Dominion of Wales (without any exception) on the last Wednesday of the moneth of February next following the date hereof, and from thenceforth to continue on the last Wednesday of every moneth, during the Troubles in the said Kingdom of Ireland. All which His Majestie doth expressly charge and command shall be reverently and devoutly performed by all His loving Subjects, as they tender the favour of Almighty God, and would avoid His just indignation against this Land, and upon pain of such punishments as His Majestie can justly inflict upon all such as shall contemn or neglect so religious a Work.

Given at the Court at Whitehall the eighth day of January, in the seventeenth yeere of His Majesties Reign of great Brittain, France, and Ireland.

God save the King.

The Kings Message to both Houses.

January 12, 1641.

His Majesty taking notice that some conceive it disputable whether His proceedings against my Lord *Kymbolton*, Master *Hollis*, Sir *Archer* *Huslerig*, Master *Pym*, Master *Hampden*, and Master *Strode*, be legall and agreeable to the Priviledges of Parliament; and being very desirous to give satisfaction to all men in all matters that may seeme to have relation to Priviledge; is pleased to wave his former Proceedings: and all doubts by this means

H

being

being settled, when the mindes of men are composed, his Majesty will proceed thereupon in an unquestionable way : And assures his Parliament that upon all occasions he will be as careful of their Priviledges, as of his Life or his Crown.

To the Kings most Excellent Majesty.
The humble Petition of the Inhabitants of the
County of *Buckinghamshire*.

Sheweth,

That your Petitioners having by vertue of your Highnesse Writ chosen *John Hampden* Knight for our Shire, in whose loyalty we his Countrymen and Neighbours have ever had good cause to confide : However of late, to our no lesse amazement then grief we find him with other Members of Parliament, accused of Treason : And having taken to our serious consideration the manner of their Impeachment, we cannot but (under your Majesties favour) conceive that it doth so oppugne the Rights of Parliament, to the mayntenance whereof our Protestation binds us, that wee believe it is the malice, which their zeal to your Majesties Service and the State, hath contracted in the enemies to your Majesty, the Church, and Common-wealth, hath occasioned this foul Accusation, rather then any defects of theirs, who doe likewise through their sides wound the Judgment and Case of us your Petitioners, and others, by whose choice they were presented to the House.

Your Petitioners therefore most humbly pray, that Master Hampden, and the rest that lie under the burden of that Accusation, may enjoy the just Priviledges of Parliament.

And your Petitioners shall ever pray, &c.

windfor, 13 Jan. 1641

His Majesty being graciously pleased to let all his Subjects understand his care, not knowingly to violate in the least degree any of the Priviledges of Parliament, hath therefore (lately) by a Message sent by the Lord Keeper, signified, That he is pleased, because of the doubt that hath been raised of the manner, to Wave his former proceedings against Master *Hampden* and the rest, mentioned in this Petition ; concerning whom, his Majesty intends to proceed in an unquestionable way, And then his Majesty saith, It will

will appear, that he had so sufficient grounds to question them, as he might not in Justice to the Kingdome, and honour to himselfe, have forborn : And yet his Majesty had much rather that the said Persons should prove innocent, then be found guilty : However hee cannot conceive that their Crimes can in any sort reflect upon those his good Subjects, who elected them to serve in Parliament.

Die Iovis 13 Ianuarii, 1641.

VV Hereas Information hath been given to the Parliament, that the Lord *Digby* (sonne to the Earle of *Bristol*) and Colonel *Lunsford*, with others, have gathered Troopes of Horse, and have appeared in a warlike manner at *Kingstone* upon *Thames* in the County of *Surrey*, (where the Magazine of Arms for that part of the County lyes) to the terrour and affright of his Majesties good Subjects, and disturbance of the public weale of the Kingdome.

It is this day ordered by the Lords and Commons in Parliament, That the Sheriffs of the severall Counties of *England* and *Wales*, calling to their assistance the Iudices of the Peace, and the trained Bands of those severall Counties (or so many of them as shall be necessary for the service) shall suppress all unlawfull assemblies gathered together to the disturbance of the publick Peace of the Kingdome in their severall Counties respectively : And that they take care to secure the said Counties, and all the Magazines in them.

Die Veneris, viz. 14. die Ian. 1641.

Ordered by the Lords in Parliament, that this Order be printed and published in all the Market-townes in this Kingdome.

John Brown, Cler. Parliament.

His Majesties Profession and Addition to His last Message to the Parliament, January 14. 1641.

HIs Majesty being no lesse tender of the Priviledges of Parliament, and thinking himselfe no lesse concerned, that they be not broken, and that they be asserted and vindicated whensoever they are so, then the Parliament it self, Hath thought fit to adde to his last Message, this profession. That in

all his proceedings against the Lord *Kymbalton*, Master *Hollis*, Sir *Arthur Haslerig*, Master *Pym*, Master *Hampden* and Master *Strode*, He had never the least Intention of violating the least Priviledge of Parliament; And in case any doubt of breach of Priviledges remaines, will be willing to cleer that, and assert those, by any reasonable way that His Parliament shall advise Him to. Upon confidence of which, He no way doubts His Parliament will forthwith lay by all Jealousies, and apply themselves to the publick and pressing affaires, and especially to those of *Ireland*, wherein the good of this Kingdome, and the true Religion (which shall ever bee His Majesties first care) are so highly and so neerly concerned: And His Majestie assures himselfe, that His care of their Priviledges will increase their tenderneffe of His lawfull Prerogative, which are so necessary to the mutuall defence of each other; and both which will be the foundation of a perpetuall perfect Intelligence betweene His Majesty and Parliament, and of the happinesse and prosperity of his people.

The Questions propounded to Master Attourney General, By the House of Commons, and his Answer thereunto.

Question 1.

VV *Whether did you contrive, frame, or advise the said Articles, or any of them?*

Answer.

I will deal ingenuously and freely, and shall say the same which before I did to your Lordships; I need no long time to answer this: I did none of these three, neither contrive, frame, or advise these Articles, or any of them, and will be content to die, if I did it.

Question 2.

Whether doe you know the truth of the said Articles, or any of them in your owne knowledge, or by information?

Answer.

I doe know nothing of my own knowledge of the truth of this, nor of any particular, nor have heard by information; This I speake upon the truth of an honest man, and nothing was ever said unto me of this, but by my Master the King.

Question 3.

Whether will you undertake to make good the said Articles, or any of them when you shall be thereunto called by due course of Law?

Answer.

By my former expreffion you may difcern what answer I can make to this; I cannot undertake to make one tittle good in them, otherwife then my Maſter ſhall command me, and enable me, for of my ſelf I cannot, nor will not, no more then one that never heard of them.

Question 4.

From whom received you theſe Articles, and by whoſe direction and advice did you exhibit them?

Answer.

It was by my Maſter the King his expreſſe command I did exhibit them, from his hand I did receive them.

Question 5.

Whether had you any testimony or prooffe of theſe Articles before the exhibiting of them.

Answer.

For the exhibiting of theſe Articles I received his Maſtieſties command.

To which Answer Maſter Serjeant *Wilde* replied, the Houſe of Commons deſires you to answer whether you had any prooffe or testimony, or any information of any proof of theſe Articles, they in no kind deſire to know what you had. To this Maſter Attourney answered, there is nothing in this world that I ſhall not be moſt ready to, but this I deſire time to conſider of, in regard of a truſt between a Maſter and Servant.

Die Sab. 15. Jan. 1641.

It is reſolved by the Houſe of Commons, ſince the ſaid Answer of Maſter Attourney Generall, That he hath broken the priviledge of Parliament, in preferring the ſaid Articles, and that the ſame is illegall, and he criminous for ſo doing; and that a charge be ſent up to the Lords in the name of the Houſe of Commons, againſt Maſter Attourney to have ſatisfaction, for this great ſcandall and injury to the Members thereof unleſſe by Thursday next, he bring in his prooffe, and make good (if he can) the ſaid Articles againſt the ſaid perſons, or any of them.

His Maſtieſties Letter to the Lord Keeper of the great
Seale of England, Concerning Sir Edward
Herbert Knight. &c.

CHARLES Rex,

Right truſty and welbeloved Councillor, Wee greet you well, and have thought good hereby to certifie that Wee did the third of January laſt, deliver to Our Attourney certain Articles of Accuſation ingroſſed in paper,

a Copy whereof We have sent here inclosed; and did then command him in Our Name, to acquaint Our House of Peers, that divers great and Treasonable, designs and practises against us and the State had come to Our knowledge for which We commanded him, in Our Name, to accuse the six persons in the said paper mentioned of High Treason, and other high misdemeanours by delivering the paper to Our said House, and to desire to have it read, and further to desire in Our Name, that a Select Committee of Lords, might be appointed to take the examinations of such Witnesses as We would produce, and as formerly had been done in cases of like Nature, according to the Justice of the House, and the Committee to be under a command of secrecie as formerly, and further in Our Name to aske liberty, to adde and alter if there should be cause: We do further declare that Our said Attourney, did not advise or contrive the said Articles, nor had any thing to do with, or in advising any breach of Priviledge that followed after, And for what he did in obedience to our commands, Wee conceive he was bound by oath, and the duty of his place, and by the trust, by Us reposed in him so to doe: And had he refused to obey Us therein, We would have questioned him for breach of Oath, Duty, and Trust.

But now having declared, that we find cause wholly to desist from proceeding against the persons accused, Wee have commanded him to proceed no further therein, nor to produce nor discover any prooffe concerning the same.

Given at *Royston*. the fourth of *March*, 1641.

His Majesties Message: sent to both Houses of
Parliament, 20. *January* 1641.

HIS Majestie perceiving the manifold distractions which are now in this Kingdome, which cannot but bring great inconvenience, and mischiefs to this whole Government; In which, as His Majestie is most chiefly interested, so He holds himselfe by many Reasons, most obliged to doe what in Him lies, for the preventing thereof; Though hee might justly expect (as most proper for the duty of Subjects) that Propositions for the remedies of these Evils, ought rather to come to Him then from Him; yet His fatherly care of all His people being such, that He will rather lay by any particular respect of His owne Dignity, then that any time should bee lost for prevention of these threatening Evils, which cannot admit the delays of the ordinary proceedings in Parliament; doth thinke fit to make this ensuing Proposition to both Houses

of Parliament : That they will with all speed fall into a serious consideration of all those particulars, which they shall hold necessary, as well for the upholding and maintaining of his Majesties just and Regall Authority, and for the settling of His Revenue : As for the present and future establishment of their Priviledges ; The free and quiet enjoying of their Estates and Fortunes ; The Liberties of their Persons ; The securitie of the true Religion now professed in the Church of *England* ; And the settling of Ceremonies, in such a manner as may take away all just offence. Which when they shall have digested, and composed into one entire body, that so His Majestie and themselves may be able to make the more cleare Judgement of them, it shall then appeare by what his Majestie shall do, how far He hath been from intending or designing any of those things, which the two great Feares and Jealousies of some Persons seem to apprehend ; And how ready He will be to equall and exceed the greatest Examples of the most indulgent Princes in their Acts of Grace and Favour to their people. So that if all the present Distractions (which so apparantly threaten the ruine of this Kingdome) doe not (by the blessing of Almighty God) end in an happy and blessed accommodation ; His Majestie will then be ready to call Heaven and Earth, God and Man to witnesse, that it hath not failed on His part.

Die Iovis 20. Ianuarii. 1641.

Lords House,

VHereas the Lords in the upper house of Parliament, doe find that there are many Petitions concerning private persons depending now before their Lordships, and conceive that many more may be brought into that House, if timely advertisement be not given to the contrary, which may occasion the Repaire and Attendance of diuers of his Majesties loving Subjects upon their Lordships, who cannot give a dispatch to private businesses, by reason of the many publicke and great Affaires that now lie before them, concerning the Safety and Weale of his Majesties Kingdomes.

It is therefore thought fit, and so Ordered by the Lords in Parliament, That all private businesses shall be hereby deferred and put off, untill the 21. of March next ; Whereof this House doth hereby give notice to all his Majesties loving people, to prevent the charge and trouble, which otherwise the Petitioners might be put unto in repairing unto this House at this time.

His

His Majesties Letter *January*, the 24.
 In Answer to the Petition of both Houses of Parliament, as
 it was presented by the Earle of *Newport*, and the
 Lord *Seymer*. *Ian.* 21. 1641.

His Majesty having seen and considered the Petition presented unto Him, the one and twentieth of this instant, by the Earle of *Newport*, and the Lord *Seymer*, in the Names of both Houses of Parliament, is pleased to return this Answer. That Hee doth well approve of the desire of both Houses, for the speedy proceeding against the persons mentioned in the Petition; whereof His Majestie finding the great inconveniences by the first mistake in the way, hath endured some delayes, that He might be informed in what Order to put the same; But before that that be agreed upon, His Majesty thinks it un-usuall, or unfit to discover what prooffe is against them, and therefore holds it necessary, lest a new mistake should breed more delayes; (which His Majestie to His power will avoid.) That it be resolved whether His Majestie be bound in respect of Priviledges to proceed against them by impeachment in Parliament; Or whether He be at liberty to preferre an Inditement at the Common Law, in the usuall way, or have His choice of either: Whereupon His Majesty will give such speedy directions for Prosecution, as shall shew His Majesties desire to satisfie both Houses, and to put a determination to the businesse.

Scots Commissioners Proposition 24. *Ian.* 1641.
 Touching the sending of the 2500. men
 into Ireland.

Concerning the Proposition made to Us 22 *January* from the Committees of both Houses for the transporting presently to *Ireland*, of the 2500. men now on foot in *Scotland*; We having no Instruction for that end cannot by Our selves condescend otherwise then upon the closure of the Treatie: but shal most heartily represent it to the Councell of *Scotland*, and second the same with our earnest desires, that every thing may be done, which may contribute to the preservation of that Kingdome, and may testifie our Brotherly affection to this. And that we may be the more able to move the Councell to condescend to the same, We desire the Propositions following to be granted.

1. That

That provision of Victuals be presently sent to *Carrickfergus*, to be sold to our souldiers at reasonable rates, answerable to their Pay.

That an Order be set downe how they shall be paid there, and from whom they may require the same.

That they have the Command and keeping of the Towne and Castle of *Carrickfergus*, with power to them to remaine still within the same, or to enlarge their Quarters, and to goe abroad in the Countrey upon such occasions, as their Officers in their discretion shall thinke expedient for the good of that Kingdome. And if it shall be thought fit, that any Regiments, or Troopes in that Province shall joyne with them, that they receive Orders from the Commanders of our Forces.

That provision of Match, Powder and Ball be presently sent to *Carrickfergus*, and what Armes, Ammunition, or Artillery, shall be sent over with them from *Scotland*, that the like quantitie be sent from hence to *Scotland*, whensoever the same shall be demanded.

That a part of the 30000. pounds of the brotherly Assistance be presently advanced to Us, which although in a just proportion to these men, it will amount but to 7500. pounds, yet for the better furthering of the Service, wee desire 10000. pounds, if it may stand with your convenience.

That their Pay which was condescended unto from the eighth of *December*, be presently advanced to the eighth of *February* next, against which time we are confident, they shall be ready to march.

That a man of warre, or some Merchants Ships, be sent from *Bristol*, *Westchester*, or *Dublin*, to *Lochryan*, for a safe Convoy and Guard of the Passage, because they being in open Boats, may be subject to inconveniencies from the enemy, whose Fregats we heare are towards that Coast.

That the sending over of these men be without prejudice to the proceeding of the Treaty, which we desire may goe on without any delay.

Westm. 24. Jan. 1641.

1a. Prymrose.

Resolved, that the house of Commons doth agree unto these particular Propositions now presented from the Scots Commissioners.

Ordered: that the house of Peeres agreeeth with the house of Commons unto those Propositions from the Scots Commissioners in every particular.

His Majesties Answer to the Proposition above mentioned, given the 26. of Jan. 1641. at Windsor.

HIS Majestie having perused and considered these eight Propositions presented by the Scots Commissioners, doth willingly consent to them all except onely the third, which His Majestie doth not approve, and wisheth the Houses to take that Article again into consideration, as a businesse of very great importance, which His Majestie doubts may be prejudiciall to the Crowne of *England*, and the service intended: And if the Houses desire it, His Majestie shall not be unwilling to speake with the Scots Commissioners, to see what satisfaction He can give them therein.

His Majesties further Answer to the third Article of the said Proposition of the Scots Commissioners, resolved on the 26, and given the 27 of January, 1641. at Windsor.

AFTER that his Majesty had (yesterday) sent His opinion concerning the Articles which the Scots Commissioners gave in, touching the present supplies to be sent for *Ireland*, they themselves waited on him, their chiefe Errand being the self-same businesse; Whereupon his Majesty thought it fit to perswade them (as much as he could) to alter the third Article, because he conceived it might be a prejudice to the Crown of *England*, the particulars whereof were too long to relate: Their onely Argument that weighed with him, being, That (since it was agreed upon by both Houses of Parliament, and that the strength of his Majesties Argument was, that Article implied too great a Trust for Auxiliary Forces) they were in good hope, that his Majesty being their native King, would not shew lesse trust in them, then their Neighbour Nation. So that the Question being (meerely) of Trust, and that both houses of Parliament have thought fit to grant it (though his Majesty could wish that that third Article were drawne more for the advantage of the Crowne of *England*)

then he conceives it is) his Majesty cannot but wholly admit of the Advice of his Parliament in this particular especially since his Majesty perceives, that insisting upon the same would breed a great delay in the necessary supply of his Kingdom of Ireland.

FINIS.

To the Kings most Excellent MAJESTIE.

The humble Petition of the Kinghts, Citizens, and Bur-
gesses of the Commons House now in Parlia-
ment assembled,

Humbly sheweth,

THAT whereas the Houses of Parliament have received a gracious Message from your Majesty, dated the twentieth day of this instant January, your Petitioners returne to your Majesty most humble thanks, resolving to take it into speedy and serious consideration. And to inable them with security to discharge their Duties therein, they desired the House of Peers to joyne with them, in humbly beseeching your sacred Majesty to raise up unto them a sure ground of safetie and confidence, by putting the Tower, and other principall Forts of the Kingdome, and the whole *Militia* thereof, into the hands of such Persons as your Parliament might confide in, and as should be recommended unto your Majesty by both Houses of Parliament, that all Fears and Jealousies being laid aside, they might with all cheerfulness proceed to such Resolutions, as they hoped would lay a sure foundation of Honour, Greatnesse, and Glory to your Majesty, and your Royall Posteritie; and of Happinesse and Prosperity unto your Subjects thorowout all your Dominions. Wherein the House of Peers have refused to joyne with your Petitioners; They notwithstanding no way discouraged, but confiding in your Majesties Goodnesse to your people, doe therefore make their humble addresse to your Majesty, to beseech you, That the Tower of *London* and other principall Forts, and the whole *Militia* of the Kingdome may be put into the hands of such persons as shall be recommended unto your Majesty by your Petitioners; not doubting but they shall receive a gracious and speedy Answer to this their humble desire, without which, in all humane Reason, the great distractions of this Kingdome must needs overwhelm it with miserie and ruine.

And your Petitioners shall ever pray, &c.

His Majesties *Answer* to the Petition of the Commons
House, January 28. 1641.

HIS Majestie having seriously considered of the Petition presented to Him from the House of Commons, on Wednesday the twenty sixth of this Month, Returns this Answer;

That he was in good hope His gracious Message of the twentieth of this Moneth to both Houses, would have produced some such overture, which by offering what is fit on their parts to doe, and asking what is proper for His Majesty to grant, might beget a mutuall confidence in each other.

Concerning the Tower of London, His Majestie did not expect, that having preferred a person of a knowne Fortune, and unquestionable Reputation to that Trust, He should be pressed to remove him, without any particular charge objected against him; and therefore returns this Answer;

That if upon due examination, any particular shall be presented to His Majestie, whereby it may appeare, that His Majestie was mistaken in his opinion of this Gentlemen, and that he is unfit for the Trust committed to him, His Majestie will make no scruple of discharging him: But otherwise his Majestie is obliged in justice to himselfe to preserve his owne worke, lest His favour and good Opinion may prove a disadvantage and misfortune to his Servants, without any other Accusation: Of which His Majestie doubts not His House of Commons will be so tender (as of a businesse wherein his Majesties honour is so much concerned) that if they finde no materiall exception against this Person, they will rather indeavour to satisfie and reforme the feares of other men, then by complying with them, presse his Majestie to any Resolution which may seeme so much to reflect upon his Honour and Justice.

For the Forts and Castles of the Kingdome, His Majestie is resolved that they shall alwayes be in such hands (and onely such) as the Parliament may safely confide in; but the nomination of any Persons to those Places (being so principall and inseparable a Flower of his Crowne, vested in Him, and derived unto Him from His Ancestors, by the fundamentall Lawes of the Kingdome) He will reserve to Himselfe; in bestowing whereof, as his Majestie will take care that no corrupt or sinister courses shall prevaille with Him; so He is willing to declare, That He shall not be induced to expresse that favour so soone to any persons, as to those whose good demeanour shall be eminent in, or to His Parliament. And if He now hath, or shall at any time by mis-information conferre such a Trust upon an undeserving Person, He is, and will alwayes be ready to cave him to the Wisdome and Justice of his Parliament.

For the *Militia* of the Kingdome, (which by the Law is subject to no command, but of His Majesty, and of Authority lawfully derived from Him) when any particular course, for ordering the same (which his Majesty holds very necessary for the peace and security of His Kingdom) shall be considered and digested by His Parliament, and proposed to His Majesty; His Majesty will returne such an Answer, as shall be agreeable to His Honour, and the safety of His People, His Majesty being resolved onely to deny those things, the granting whereof would alter the fundamentall Lawes, and endanger the very foundation, upon which the publick happinesse and welfare of his People is founded and constituted, and would nourish a greater and more destructive Jealousie between the Crown and the Subject, then any of those which would seem to be taken away by such a satisfaction.

And his Majesty doth not doubt, that his having granted more then ever King hath granted, will ever perswade his house of Commons to ask more then ever Subjects have asked. And if they shall acquaint his Majesty with the particular Grounds of their Doubts and Feares, Hee will very willingly apply Remedies proportionable to those Feares; For his Majesty calls God to witnes, that the preservation of the publick peace, The Law, and the Liberty of the Subject, is, and shall always be as much his Majesties care and industry, as of his life, or the Lives of his dearest children.

And therefore his Majesty doth conjure his house of Commons, by all the Acts of Duty and Favour they have received from him this Parliament; By their hopes of future happinesse in his Majesty, and in one another; By their love of Religion, and the peace of this Kingdome (in which that of *Ireland* cannot be forgotten) That they will not be transported by Jealousies and Apprehensions of possible dangers, to put themselves or his Majesty, into real and present inconveniencies, but that they will speedily pursue the way proposed

by his Majesties former Message, which in humane Reason is the onely way to compose the Distractions of the Kingdome, and with

Gods blessing will restore a great Measure of felicitie to King and People.



Die Sabbathi 29, Ianuarii, 1641.

An Order made by both Houses of Parliament to prevent
the going over of Popish Commanders into *Ireland*,
and also to hinder the transportation of Armes,
Ammunition, Money, Corn, Victuals, and
all other provision to the Rebels,
and for the sending back of
the Irish papists lately
come over.

VV Hereas great numbers of Papists, both English and Irish, some
whereof have been and are Commanders in the Wars; and o-
thers such as have Estates in *England*, have gone out of this King-
dom into *Ireland* immediatly before and during the barbarous and bloody Re-
bellion there, and traiterously joyned themselves with the Rebels of that Nati-
on against his Majesty, and the Crown of *England*; and likewise divers other
Popish Commanders, and such as have Estates in *England*, are daily preparing
to go thither, to the same wicked ends: And great store of Armes, Ammunition,
Money, Corn, and other Victuals and Provisions have beene sent, and are daily
preparing to be sent to that Kingdom, for the assistance and encouragement of
those Rebels: for prevention whereof, the Lords and Commons in this present
Parliament assembled. Do hereby Order and straightly charge and command,
all Sheriffs, Justices of the Peace, Majors, Bailiffs, Constables, and other His
Majesties Officers within the Realme of *England*, and Dominion of *Wales*;
That they apprehend and examine all such persons, as they shall suspect to be
Papists, and going out of this Kingdome, or the Dominion of *Wales* into *Ire-*
land. And that they make also stay of all Arms, Munition, Money, Corn, and o-
ther

ther Viſuals and Proviſions, which they ſhall ſuſpect to be preparing for transportation into *Ireland*, for the ayd and relief of the Rebels there; And to give ſpeedy notice thereof unto the Parliament.

And whereas, Alſo divers poore People, Men, Women, and Children, of the *Iriſh Nation*, and Papiſts, have lately come in great numbers out of *Ireland*, into *Cornwall*, *Devon*, and other parts of this Kingdome, where they have bin, and are very diſorderly, and much terrifie the Inhabitants where they come, and due care is not taken all places for the ſuppreſſing and puniſhing of them. The Lords and Commons in this Parliament Aſſembled, Do hereby further Order and require, all Officers before-mentioned, That they put the Laws in due execution againſt ſuch wandering *Iriſh Papiſts* before expreſſed, and that they cauſe them to be forthwith conveyed back into that Kingdome.

This Order was read, and by Vote upon the Queſtion aſſented unto, and ordered to be fair written and ſent up to the Lords, by Maſter Carew.

Maſter Carew brings answer, That the Lords do fully agree with the Houſe in this Order.

Hen. Elſing. Cler. Parl. Dom. Com.

To the Kings moſt Excellent Maieſty,

The humble Petition of the Lords and Commons aſſembled in Parliament.

Moſt gracious Sovereigne,

THe preſent Evils and Calamities wherewith your Kingdomes are moſt miſerably intangled, the imminent dangers which threaten your Royall Perſon, and all your People, have cauſed us your moſt faithfull and obedient Subjects, the Lords and Commons in this preſent Parliament, with thankfulneſſe to entertaine, and with all earneſtneſſe of affection and endeavour to purſue the gracious Propoſition and Direction which not long ſince wee have received from your Maieſtie: And we have thereupon taken into our moſt ſerious conſideration the wayes and meanes of ſecuring the ſafety of your Royall Perſon, Preſerving the Honour and Authority of your Crowne, Removing all Jealouſies betwixt your Maieſtie and your People, Suppreſſing the Rebellion in *Ireland*, Preventing the Feares and Dangers in this Kingdome, and the miſchievous Deſignes of thoſe who are Enemies to the Peace of it. And that

we may with more Comfort and Security accomplish our duties herein, wee most humbly beseech your Majestie, That you will be pleased forthwith to put the Tower of *London*, and all other Forts, and the whole *Militia* of the Kingdome, into the hands of such Persons as shall be recommended unto your Majesty by both houses of Parliament, which they assure themselves will be a hopefull entrance into those Courtes, which (through Gods blessing) shall be effectuell for the removing all diffidence and misapprehension betwixt your Majestie and your People, and for Establishing and Enlarging the Honour, Greatnesse, and Power of your Majestie and Royall Posteritie, and for the restoring and confirming the Peace and Happinesse of your loyall Subjects in all your Dominions.

And to this our most necessary Petition, wee in all humility expect your Majesties speedy and gracious Answer. the great Distractions and Distempers of the Kingdome not admitting any delay.

To the Kings most Excellent MAJESTIE.

The humble Petition of the Lords and Commons now assembled in Parliament.

Sheweth,

THAT whereas your Majestie by a Message sent to both houses of Parliament, signified an Apprehension of some Treasonable matter to have been committed by the Lord *Kymbolton*, Master *Hollis*, Sir *Arthur Hserig*, Master *Pym*, Master *Hampden*, and master *Strode*; and thereby declared your Majesties intention to proceed against them in an unquestionable way: We the Lords and Commons in this present Parliament assembled, did make our humble Petition to your Majestie, to beseech your Majestie to give directions that your Parliament might be informed before Tuesday then next ensuing, what prooffe there was against them, that accordingly there might bee a Legall and Parliamentary proceeding against them, whereby they might bee brought to condigne punishment, if guilty; or discharged from so heavy an Accusation, if innocent: And whereas your Majestie was graciously pleased in Answer to that Petition, to expresse Your good approbation of the desire of both Houses, for the speedy proceeding against the Persons in that Petition mentioned; yet your Majestie gave no other satisfaction to their desire therin, That your Majestie held it necessary, lest a new mistake should breed more delays, that it should be resolved, whether your Majestie were bound

in respect of Priviledges, to proceed against them by impeachment in that Parliament, or to be left at liberty to preferre an Indictment at the Common Law, in the usuall way, or to have your choyce of either ; and we finding still, that there is no Legall and Parliamentarie proceedings against them, and that they still lie under the burden of that high Charge, We thinke it our duty once againe to beseech your Majestie to give directions, that your Parliament may be informed before Friday next, what prooffe there is against them, that accordingly they may be called to a Legall Triall, it being the undoubted Right and Priviledge of Parliament, that no Member of Parliament can be proceeded against, without the consent of Parliament : And this we most humbly conceive our selves obliged to aske, it being no lesse agreeable with justice, to have the innocency of Parties unjustly charged, manifested, then to bring the Nocent to their just punishment.

His Maiesties Answer to two Petitions of the Lords and Commons, deliuered

2. Febr. 1641.

HIS Majestie having well considered of the two severall Petitions, presented unto him on Wednesday the second of this moneth, from both Houses of Parliament, and being desirous to expresse how willing He is to apply a remedy, not onely to your Dangers, but even to your Doubts and Feares ; Hee therefore to that Petition which concerns the Forts and Militia of this Kingdome, returns this Answer ; That when he shall know the extent of Power which is intended to be established in those persons, whom you desire to be the Commanders of the Militia in the severall Counties ; And likewise to what time it shall be limited, that no power shall be executed by His Majestie alone, without the advice of Parliament ;

Then Hee will declare, That (for the securing you from all Dangers, or lealousies of any) His Majestie will be content to put in all the places both of Forts and Militia in the severall Counties, such persons as both the Houses of Parliament shall either approve, or recommend unto Him, so that you declare before unto His Majestie, the names of the persons whom you approve or recommend : unlesse such persons shall be named, against whom Hee shall have just and unquestionable exceptions.

To the other Petition concerning the members of either House, His Majestie returns this Answer, That as He once conceived that He had ground enough to accuse them, so now His Majestie finds as good cause wholly to desert any prosecution of them.

And for a further testimony of His Majesties reall Intention towards all His loving Subiects, (some of whom happily may be involved in some unknowing and unwilling Errors) For the better composing and settling of all Feares and Jealousies of what kind soever, His Majestie is ready to grant as free and generall a Pardon for the full contentment of all His loving Subiects, as shall by the approbation of both Houses of Parliament be thought convenient for that purpose.

His Majesties Consent for the Princeesse MARIES going to *Holland*, and Her Majestie to accompany Her thither.

HIS Majestie being very much pressed by the States Ambassadour to send the Princeesse His Daughter immediately into *Holland*: And being likewise earnestly desired by His Royall Consort the Queene to give her Majestie leave to accompany Her Daughter thither ; Hath thought fit to consent to both desires, and to make this his Majesties Consent, and her Majesties Resolution knowne to His Parliament.

Her Majesties Answer to a Message of both Houses.

THE Queene having received a Message from both houses of Parliament by the Earle of *Newport* and the Lord *Seymour*, intimating unto her, that she had been told that the House of Commons had an intention to accuse Her of high Treason, and that Articles to that purpose had been shewed unto her, Returns this Answer.

That there was a generall report of an Accusation intended against her, but she never saw any Articles in writing, and having no certaine Authour either for the one or for the other, she gave little credit thereunto, and much lesse now being assured from the house of Commons that never any such thing came into their thoughts.

Nor will she believe they would lay an Aspersion upon her, who hath ever beene very unapt so farre to misconster the Actions of any one person, and much more the proceedings of Parliament, and shall at all times with a happy understanding between the King and his people.

F I N I S,

His Majesties Message sent, to the House of Commons, concerning Licences granted by His Majesty to severall persons to passe into Ireland.

HIS Majesty taking notice of a Speech, pretending in the Title to have been delivered by *M. Pym* in a Conference, and Printed by Order of the House of Commons, in which it is affirmed, That since the Stop upon the Ports against all Irish Papists by both Houses. many of the chief Commanders, now in the head of the Rebels have bin suffered to passe by his Majesties immediate Warrant; And being very certain of having used extream Caution in the granting of Passeports into *Ireland*; So that Hee conceives, either this Paper not to have bin so delivered and Printed as it pretends, or this House to have received some mis-information;

His Majesty would be resolved, whether this Speech were so delivered and Printed, and if it were, would have this House to reveiw upon what Informations that particular was grounded, that either that may be found upon re-examination to have bin false, and both this House and His Majesty injured by it; Or that His Majesty may know by what means, and by whose fault, His Authority hath been so highly abused, as to be made to conduce to the assistance of that Rebellion, which Hee so much detests and abhors, and that Hee may see Himself fully vindicated from all reflections of the least suspicion of that kinde.

The Answer of the House of Commons.

YOUR Majesties most loyall & faithfull Subjects, the Commons now assembled in Parliament have taken into their serious consideration, the Message received from Your Majesty, the 7 of this instant *February*, & do acknowledge, that the Speech therein mentioned to be delivered by *M. Pym*, in a Conference, was printed by their Order, and that what was therein delivered was agreeable to the sence of the House, And touching that passage wherein it is affirmed, that since the Stop upon the Ports against all Irish Papists by both Houses, many of the chief Commanders now in the head of the Rebels, have bin suffered

ferred to passe by your Maiesties immediat Warrant, they present your Maiesty with this their humble Answer.

That they have received divers advertisements concerning the several persons, (Irish papists and others) which have obtained your Maiesties immediate Warrants for their passing into *Ireland*, since the Order of Restraint of both Houses, some of which (as they have bin enformed) since their coming into *Ireland*, have ioyned with the Rebels, and bin Commanders amongst them, and some others have bin stayed, and are yet in safe custody; particularly the Lord *Delvin*, and foure other persons in his company, whereof one is thought to be a Priest, one Colonell *Butler*, brother to the Lord *Minyart*, now in Rebellion, and Sir *George Hamilton*, all which are papists; And one other (as is reported) being son of the Lord *Netersfield*, whose father, and brother, are both in Rebellion: the particular names of others we have not yet received, but doubt not, but upon examination, they may be discovered.

And your Maiesties most faithfull Subiects are very sorry, that the Extream Caution which your Maiesty hath used, hath bin so ill seconded with the diligence and faithfulness of your Ministers, and that your Royall Authority should be so highly abused, Although, as it was exprest in that Speech by Master *Pym*, we believe it was by the procurement of some evill Instruments too neer your Royall person, without your Maiesties knowledge, and intention; And we beseech your Maiesty to take such course, that not only your Honour may be vindicated for the time past, but your Kingdome may be secured from the like mischief for the time to come.

Read and by vote upon the Question assented unto.

His Maiesties Reply to the House of Commons Answer.

Concerning Licences granted by the King to severall persons to go into *Ireland*.

AS his Majesty hath exprest a great desire to give his House of Commons all possible satisfaction to all their just Requests, and a readinesse to rectifie or retract any thing done by himselfe, which might seeme to trench upon their Priviledges by any mistake of his, so he doubts not they will be ready upon all occasions to manifest an equall tenderneffe and regard of his
Ma-

Majesties Honour and Reputation with his good Subjects; and therefore his Majesty expects they should review his Message of the seventh of this moneth, concerning a passage in Master *Pym's* Speech, and their Answer sent to his Majesty by some of their Members on the tenth of the same, with which his Majesty can by no means rest satisfied.

His Majesties Exception in that Message was, that it was affirmed in that Speech, That since the stop upon the Ports against all Irish Papists, by both Houses, many of the chiefe Commanders now in the head of the Rebels, have been suffered to passe by his Majesties immediat Warrant.

To this the Answer is :

THat the Speech mentioned in that Message to be delivered by M. *Pym*, was Printed by their Order, and that what was therein delivered was agreeable to the sense of the House: that they have received divers Advertisements concerning severall persons, Irish Papists and others, who have obtained his Majesties immediate Warrant for their passing into *Ireland*, since the Order of Restraint of both Houses, some of which, they have beene informed since their coming into *Ireland*, have joyned with the Rebels, and bin Commanders amongst them.

His Majesty is most assured, no such person hath passed by his Warrant or Privy, and then he desires his House of Commons to consider, whether such a generall Information and Advertisement (in which there is not so much as the name of any particular person mentioned) be ground enough for such a direct and positive Affirmation, as is made in that Speech, which in respect of the place and Person, and being now acknowledged to be agreeable to the sense of the House, is of that authority that his Majesty may suffer in the Affections of many of his good Subjects, and fall under a possible construction (considering many scandalous Pamphlets to such a purpose) of not being sensible enough of that Rebellion, so horrid and odious to all Christians, by which, in this distraction, such a danger might possibly ensue to his Majesties Person and Estate, as he is well assured his House of Commons will use their utmost endeavours to prevent. And therefore his Majesty thinks it very necessary, and expects that they name those persons, who by his Majesties Licence have passed into *Ireland*, and are now there in the head of the Rebels; Or that if upon their re-examination they do not find particular Evidence to prove that Assertion (as his Majesty is confident they never can) as this Affirmation which may reflect upon his Majesty, is very publike, so they will publish such a Declaration whereby that mistake may be discovered, his Majesty being the more tender in that particular

ticular, which hath Reference to *Ireland*, as being most assured that Hee hath bin, and is, from his Soul resolved to discharge his Duty (which God wil require at his hands) for the relief of his poor Protestant Subjects there, and the utter rooting out that Rebellion; So that Service hath not suffered any, but necessary delays by any act of his Majesties, for the want of any thing proposed to his Majesty within his Majesties power to doe.

For the persons named in the Answer, his Majesty saith that Colonell *Butler*, and the son of the Lord *Nettersfield*, obtained his Warrants for their passage into *Ireland*. at his Majesties being in *Scotland*, which was long (as his Majesty thinks) before the Order of both Houses: His Majesty knowing the former of them to be one who hath always made Professions to his Service, and to be Vncle to the Earle of *Ormond*, of whose affection to the Protestant Religion, and his Majesties Service, His Majesty hath great cause to be assured: And the latter being a person of whom, at that time, there was no suspicion to his Majesties knowledge. For the other, it may be they have obtained Warrants from his Majesty since the said Order, but his Majesty assures the Parliament that he had no intimation of such an Order, till after stay made of Sir *George Hamilton*, who was the last that had any Licence from his Majesty to passe for *Ireland*.

And his Majesty having since this Answer from the House of Commons used all possible means, by the examining his own memory, and the Notes of his Secretaries, to find what Warrants have beene granted by him, and to what persons, doth not find That he hath granted any to any Irish, but those who are named by the House of Commons, and in *December* last to the Earle of Saint *Albans*, and to two of his servants, and to one *Walter Terrel* a poore man, they being such as his Majesty is assured are not with the Rebels, and much lesse chief Commanders over them. And though it may be, the Persons named by the House of Commons are Papists, yet his Majesty at that time thought it not fit, in respect of their Alliance in that Kingdome, to such Persons of great power, of whom his Majesty hoped well, to discover any suspicion of them, the Lords Justices having declared by their Letters (which Letters were not disapproved of by the Parliament here) that they were so far from owning a publike iea-lousie of all Papists there, that they had thought fit to put Arms into the hands of divers Noble men of the Pale of that Religion, who made Professions to his Majesties Service, and desired the same. And since so great a trust reposed in some of the Lords of that Religion was not disapproved by the Parliament here, his Majesty could not imagine it unsafe or unfit for him to give Licences to some few to passe into that Kingdom, who, though Papists, professed due Allegiance and Loyalty to his Majesty.

And therefore unlesse the first Affirmation of the House of Commons can be made

made good by some particulars, his Majesty doth not know that his Ministers have failed in their diligence and faithfulness to his Majesty in this point, or that his honour hath suffered so much by any Act of his own, as that it needs be vindicated for the time past by any other way then such a Declaration which he expects from this house, as in Duty and Justice due to his Majesty.

FINIS.

A Message from His Majesty to the House of Peers on Friday the 11 of *February*, 1641. concerning his acceptance of Sir *John Coniers*, in the place of Sir *John Byron*, to be Lievtenant of the Tower.

Althoug his Majesty conceives that he is not obliged to give an Answer in any particular concerning the Forts and *Militia* of the Kingdom, until he shall know and consent to the Power and the time, how, & to whom, the Forts and *Militia* shall be disposed; Yet to shew his reall intention to satisfie the feares of his People, He is content to accept of Sir *John Coniers* in the place of Sir *John Byron*, for to be Lievtenant of the Tower of *London*, having already at his earnest desire received the surrender of the said Place from him.

A true and exact List of those persons nominated and recommended by the House of Commons to his Majesty,

As persons fit to be entrusted with the *Militia* of the Kingdom: wherein they desire the concurrence of the House of Peers, *Feb. 12, 1641.*

*Barke*shire, Earl of *Holland*. *Bedford*shire Earle of *Bullingbrook*. *Buckingham*shire Lord *Paget*. *Cambridg*shire and the Isle of *Ely* Lord *North*. *Chesh*ire, and the County and City of *Chester* Lord *Strange*. *Cornwall* Lord *Roberts*. *Cumberland* Lord *Gray* of *Wark*. *Derby* Earle of *Rutland*.

Devonshire, and of the County and City of *Exon*. Earle of *Redford*. *Dorsetshire*, and the County of the Town of *Poole*, Earle of *Salisbury*. For the Isle of *Purbeck* Com. *Dorset*, Sir *John Banks* Knight, Lord Chiefe Justice of the Common Pleas, and Constable of *Corfe* Castle. *Durham*, Sir *Henry Vane* Elder. *Essex*, Earle of *Warwick*. *Gloucestershire*, and of the County and City of *Gloucester*, Lord *Chandois*. *Hampshire*, and of the Town and County of *Southampton*, and of the Isle of *Wight*, Earle of *Pembroke*. *Hartfordshire*, Earle of *Salisbury*. *Herefordshire* Lord *Dacres*. *Huntingtonshire*, Lord *Mendevile*. *Kent*, and the City and County of *Canterbury*, Earle of *Leicester*. Com. *Lancaster*, Lord *Wharton*. *Leicester*, Earle of *Stamford*. *Middlesex*, Earle of *Holland*. Com. *Northampton*, Lord *Spencer*. *Nottingham*, and of the Towne and County of *Nottingham*, Earle of *Clare*. *Northumberland*, and of the Towne and County of *Newcastle*, and of the Town of *Barwick*, Earle of *Northumberland*. *Norfolk*, and of the County and City of *Norwich*, Earle of *Warwick*. *Oxfordshire*, Lord Viscount *Say* and *Seal*. *Rutland* Earle of *Exon*. *Salop*, Lord *Littleton*, Lord Keeper of the great Seal of *England*. *Somerset*, Marquis *Hertford*.

That the Lievtenant of the County of *Worcester* shall be nominated before *Somerset*.

Staffordshire, and of the County of the City of *Lichfield*. Earl of *Essex*. *Suffolk*, Earl of *Suffolk*. *Surrey*, Earl of *Nottingham*. *Sussex*, Earl of *Northumberland*. *Warwick*, and of the County of the City of *Coventry*, Lord *Brooke*. *Westmerland*, Earle of *Cumberland*. *Wiltsh*, Earle of *Pembroke*. *Wigorn*, and of the County of the City of *Worcester*, Lord *Edward Howard* of *Eserig*. For the County and City of *Bristol*, Master *Denzil Hollis*. *Yorkshire*, and of the County of the City of *York*, and of the County of the Towne of *Kingstone* on *Hul*, Earle of *Essex*. Of the parts of *Kestaven* and *Holland*, and the County of the City of *Lincolne*, Earle of *Lincolne*. For the parts of *Lindesay*, in the County of *Holland*. Lord *Willoughby* of *Parbau*. *Moumouth*, Lord *Philip Herbert*. Isle of *Anglesey*, Earl of *Northumberland*. *Brecnock*, Lord *Philip Herbert*. *Cardigan*, Earl of *Carbery*. *Carmarthen*, and *Carmarthen* Town, Earl of *Carbery*. *Carnarvan*, Earl of *Pembroke*. *Denbigh*, Lord *Fielding*. *Flinshire*, Lord *Fielding*. *Clamorgan*. Lord *Philip Herbert*. *Montgomery*. Earl of *Essex*. *Merioneth*, Earl of *Pembroke*. *Pembroke*, and the Towne of *Haverford* Well, Earl of *Northumberland*. *Radnor*, Lord *Littleton*, Lord Keeper of the great Seal of *England*.

That for the levying, ordering, and exercising the *Militia* of the City of *London*, power is given unto Sir *John Gaire*, Sir *Jacob Garret*, Knights and Aldermen,

dermen, *Thomas Atkin* Alderman, *Sir John Wollastone* Knight and Alderman, *John Warner* Alderman, and *John Tomse* Alderman, Serjeant Major Generall *Skippon*, or any three more of them, *Randolph Mawaring*, *William Gibs*, *John Fowke*, *James Bunce*, *Francis Peck*, *Samuel Warner*, *James Russell*, *Nathaniel Wright*, *William Barkley*, *Alexander Normington*, *Stephen Estwecke*, *Owen Rowe*, Citizens of London, or any six or more of them.

His Majesties Message to both Houses of Parliament: *February 14. 1641.*

THough His Majestie is assured, that His having so suddenly passed these two Bills, being of so great importance, and so earnestly desired by both Houses, will serve to assure His Parliament, That He desires nothing more then the satisfaction of His Kingdome; yet that He may further manifest to both Houses how impatient He is, till he find out a full remedie to compose the present Distempers, He is pleased to signifie:

That his Majestie will by Proclamation require, that all Statutes made concerning Recusants, be with all Care, Diligence, and Severity put in execution.

That his Majestie is resolved, That the seven Condemned Priests shall bee immediately Banished (if His Parliament shall consent thereunto:) And His Majestie will give present Order (if it shall be held fit by both Houses) that a Proclamation issue, to require all Romish Priests within twenty dayes to depart the Kingdome; and if any shall be Apprehended after that time, his Majestie assures both Houses, in the Word of a King, That He will grant no pardon to any such, without consent of His Parliament.

And because his Majestie observes great and different Troubles to arise in the hearts of His People, concerning the Government and Liturgie of the Church, his Majestie is willing to declare, That Hee will referre that whole Consideration to the Wisdome of His Parliament, which He desires them to enter into speedily, that the present Distractions about the same may be composed. But desires not to be pressed to any single Act on His part, till the whole be so digested and settled by both Houses, that his Majestie may cleerly see what is fit to be left, as well as what is fit to be taken away.

For *Ireland* (in behalfe of which his Majesties heart bleeds) as his Majestie hath concurred with all Propositions made for that Service by His Parliament, so He is resolved to leave nothing undone for their Reliefe, which shal fall within His possible Power, nor will refuse to venture His owne Person in that

Warre, if His Parliament shall thinke it convenient for the reduction of that miserable Kingdome.

And lastly, his Majestie taking notice by severall Petitions of the great and generall decay of Trade in this Kingdome, and more particularly of that of Clothing, and new Draperies (concerning which He received lately at *Greenwich* a modest, but earnest Petition from the Clothiers of *Suffolke*) of which decay of Trade, his Majestie hath a very deepe sence, both in respect of the extreame want and povertie it hath brought, and must bring upon many thousands of His loving Subjects, and of the influence it must have in a very short time upon the very subsistence of this Nation. Doth earnestly recommend the consideration of that great and weightie Businesse to both Houses; Promising them, that He will most readily concurre in any Resolution their Wisedomes shall find out, which may conduce to so necessary a Worke.

THe Lords and Commons assembled in Parliament, doe with much Joy receive, and with Thankfulnesse acknowledge, Your Majesties Grace and Favour, in giving your Royall Assent to a Bill, intituled, *An Act for disabling all Persons in holy Orders to exercise any Temporall Jurisdiction or Authority*: And also Your Majesties Care for Ireland, expressed in the dispatch of the Bill of Pressing, so much importing the safetie of that, and this Kingdome.

FINIS.

To the Kings most Excellent Maiestie.

The humble Petition of the Lords and Commons now Assembled in Parliament.

Sheweth,

That Your Majestie, in answer to their late Petition, touching the proceedings against the Lord *Kimbolton*, *M. Hollis*, Sir *Arthur Haslerig*, *Master Pym*, *M. Hamden*, and *M. Strode*, Members of the Parliament, was pleased to signifie, That as Your Majestie once conceived, that you had ground enough to accuse them, So now Your Majesty findes as good cause wholly to desert any further prosecution of them. Notwithstanding which, they remaine still under that heavy charge so imputed unto them, to the exceeding prejudice, not only of themselves but also of the whole Parliament. And whereas by the expresse Laws, and Statutes of this Your Realm, tha: is to say, by two Acts

of Parliament, the one made in the 37. and the other in the 38. yeere of the Raigne of your most Noble Progenitor, King *Edward* the third ; If any person whatsoever, make suggestion to the King himselfe, of any Crime committed by another, the same person ought to be sent with the suggestion, before the Chancellour or Keeper of the great Seale, Treasurer, and the great Councell, there to find surety to pursue his suggestion, which if he cannot prove, he is to be imprisoned till he hath satisfied the Party accused, of his damages and slander, and made fine and ranome to the King. The said Lords and Commons humbly beseech Your Majestie, That not only in point of Justice to the said Members in their particulars, but for the Vindication of the Rights and Priviledges of Parliament, Your Majesty will be pleased to send the person or persons, that in this case made the suggestions, or informations to Your Majestie, against the said Members of Parliament, Together with the said suggestions or informations, to Your Parliament. That so such fruits of the said good Laws may be had, as was intended by them, and the Rights and Priviledges of Parliament may be Vindicated, which of right and justice ought not to be denied.

An Ordinance of both Houses of Parliament, for the safeguard of the Parliament, Tower and City of *London*,
under the Command of Serjeant Major
Generall *Skippon*.

W Hereas upon the 12. of *January* last past (amongst other things in that Order ;) It is ordered by the Lords and Commons in Parliament, in these words : And for the better safeguard of the Tower ; It is further Ordered by both Houses of Parliament, That the Sheriffs of *London* and *Middlesex* shall appoint and place a sufficient Guard about the Tower, both by Land and Water, under the Command of Serjeant Major General *Skippon*, Commander of the Guards of the Parliament, And that those Guards be carefull to see the former Order observed. Now whereas the said Serjeant Major having (in his great care and faithfulness) given his advice to the said Sheriffs, concerning what Guards he conceived to be fitting, and how the same Guards ought to have been Ordered by Water and Land, as he thought most advantageous for the said service. Whereas also the said Serjeant Major hath given his further advice and Order to divers other persons concerning the timely discovery, and preventing of any thing that might have been attempted or

done contrary to the intent of the said Order of both Houses of Parliament.

And whereas the said Serjeant Major *Skippon* hath according to the trust reposed in him by the City of *London*, placed the Trained-Bands of the said Citie, at the further end of *Tower-Street*, and in such other places within and about the Citie, as he conceived to be most for the safetie of the Citie : All and every particular of the which premisses, and whatsoever else in the same kind, and to the same ends, that he the said Serjeant Major hath advised, or done, or shall advise or do according to the Order aforesaid, is here by wel approved of, and fully warranted by both houses of Parliament, as being for the Reall good service of His Majestie, and the Common-wealth ; as also for the safetie of the Parliament and Citie : And is in all and every part thereof according to his Duty, the last Protestation, and the Lawes of this Kingdome. And if any person shall arrest, or any other way trouble him for so doing, he doth breake the Priviledge of Parliament, Violate the Liberty of the Subject, and is hereby declared an enemy to the Common-wealth.

A Message from a Committee of both Houses of Parliament, to the Spanish Ambassadour, to make stay of Ships at *Dunkerke*, intended for the supply of the Rebels in *Ireland*.

THE Lords and Commons have commanded us, to intimate to the Spanish Ambassadour, the advertisement that they have received of certaine Ships lying in *Dunkerke*, laded with Ammunition ready to take sayle, intended for the reliefe of the Rebels of *Ireland* : This they hold contrary to the Articles agreed upon, in the Treaties of Peace between the two Crownes ; And therefore the Ambassadour is to be moved from both Houses, to send speedily to *Dunkerke*, and to all other His Majesties Dominions, and unto the King his Master, to make stay of those, and all such Ships, as may carry any supply of Men, Viſtuals, Money, or any other ayd to His Majesties Subjects, that at this present are in Rebellion in *Ireland* ; Which otherwise will be understood to be a Breach of the Treaties, betweene the Crownes of *England* and *Spaine*, and so reſented by the Parliament.

The Spanish Ambassadors Answer to the Message from a Committee of both Houses of Parliament.

THe Lord Ambassadour of *Spaine*, *Don Allanso de Cardenas* having understood what the Lord *Fielding* of the Lords House, and Sir *Thomas Barrington* Baronet, and Sir *John Holland* Baronet of the House of Commons, All three Commissaries from the Parliament, have said in behalfe of both Houses, concerning the advertisement given them, that in the Haven of *Dunkerke* there were certaine Ships laded with Ammunition, ready to take saile, intended for the reliefe of the Rebels of *Ireland*, which they hold contrary to the Articles of Peace between the two Crownes. And that they required he should send to *Dunkerke*, and all other His Majesties Dominions, And that hee should write unto the King His Master to make stay of those and all such Ships, as may carry supply of Powder, Viſtuals, Money, or any other ayde to His Majesties Subjects, that at this present are in Rebellion in *Ireland*; because otherwise it would be understood to bee a breach of the Treaties betweene the two Crownes, and so resent by the Parliament. The said Ambassadour of *Spaine* answered, That besides the understanding, which he hath of the King His Masters mind and intention to conserve the friendship, which he professeth with His Majesty of great *Britaine*, he hath expresse and most particular notice that the Ships which are now in *Dunkerke* Haven laded with Souldiers and Ammunition & ready to saile neither are for *Ireland*, nor were they provided for any such purpose. And that this notice was given him by *Don Francisco de Melo* Earle of *Assumar*, Governour and Captaine Generall of the States of *Flaunders*, whom the resident of His Majestie of great *Britaine*, that assists in *Brussels*, assured that he is fully satisfied of their not going for *Ireland*, as is also His King, who signified so much unto him in a Letter, in which he likewise commanded him to thanke the said *Don Francisco de Melo*, for denying leave, which certaine Irish serving in those States, had asked to returne to their Countrey, which he denied; to avoid all suspicion, Notwithstanding their end for asking it, was unknowne. The same assurance did the same Ambassadour give unto the Commissaries aforesaid of the Parliament, concerning the mentioned Ships in *Dunkerke* laden with Ammunition and Souldiers, that they are not for *Ireland*; And he profered to write to *Dunkerke*, and all other Parts of *Flaunders* and Dominions of the King His Master; and particularly to his Catholike Majesty, to the end, That the observance of the Articles of peace, which hitherto have been so religiously observed of the King His Masters part, and His Subjects may be continued; and that new and strait Orders be given

given, That no Subject of his Catholike Majesty, shall dare violate them, sending any kind of aydes to foster the insurrection in *Ireland* under paine of the punishment imposed upon the transgressors. And the said Ambassadour to manifest the sincerity of his heart, profered to sollicite it with the readiest and most forcible meanes that lay in his power, hoping (as in reason he should,) that his Majesty of great *Britain*, and the Parliament, will for their part punctually observe the same in the aforesaid conformity towards the Rebels of the King his Master, not permitting any kindes of succour or assistance in whatsoever quality to be afforded them, from these Kingdomes. Renewing for this effect all requisite Orders unto the Officers and Ports of the said Kingdomes, chastising the transgressors of what is settled in the Peace, with the punishments contained in the Articles of it; that so by reciprocall observance, the good correspondency, which is at this present betwixt these two Crownes of *Spaine* and *England*, may be assuredly maintained.

FINIS.

His Maiesties Message to both Houses, concerning the Militia.

HIS Majesty having received an humble Petition of the Lords and Commons, by the hands of the Earls of *Carlile* and *Monmouth*, returns this answer; That his dearest Consort the Queen, and his Dear Daughter, the Princeesse *Mary*, being now upon their departure for *Holland*, Hee cannot have so good time to consider of a particular Answer for a matter of so great weight as this is, therefore He must respite the same untill His return.

To the Kings most Excellent Majestie :

The humble Petition of the Lords and Commons,
concerning this Message.

May it please your most Excellent Majestie,

YOUR humble and loyall Subjects, the Lords and Commons, have, with a great deal of grief, received Your Majesties Answer to their just and necessary Petition, concerning the *Militia* of the Kingdome; which Your
Ma-

Majesty, by a gracious Message formerly sent unto them, was pleased to promise should be put into such hands as Your Parliament should approve of, or recommend unto You the extent of their power, and the time of their continuance being likewise declared. That being done, and the persons by both Houses nominated, Your Majesty, nevertheless, refers Your resolution herein, to a longer, and a very uncertain time, which (the present dangers and distractions so great and pressing) is as unsatisfactory and destructive, as an absolute deniall. Therefore wee once againe beseech Your Majesty to take our desire into Your Royall thoughts, and to give Us such an Answer, as may raise in us a confidence that we shall not be exposed to the practices of those, who thirst after the ruine of this Kingdom, and the kindling of that combustion in *England*, which they have, in so great a measure, effected in *Ireland*; from whence (as wee are daily informed) they intend and endeavour to invade us, with the assistance of the Papists here amongst us.

Nothing can prevent these evils, nor enable us to suppress the Rebellion in *Ireland*, and secure our selves but the instant granting of that our humble Petition; which we hope Your Majesty will not deny to those, who must in the discharge of their duties both to Your Majesty and the Common-wealth, represent unto Your Majesty what they find so absolutely necessary; for the preservation of both which the Laws both of God and man enjoyne them to see put in execution, as severall Counties, by their daily Petitions, have desired of us, and in some places, begun already to do it of themselves. Feb. 22, 1641.

Resolved upon the Question, and assented unto, and ordered, That Master Hollis carry it up to the Lords, to desire their concurrence herein.

A Message from both Houses of Parliament, sent to
the King and Queens Majesties,

Touching certain Letters lately intercepted, and (as it may
be conjectured) sent from the Lord *Digby*, to the
Queens Majestie.

Most gracious Sovereigne,

YOur Majesties most Loyall and faithfull Subjects, the Lords and Commons in Parliament, have received Your Message of the sixteenth of this instant *Februarie*, sent at the instance of the Queenes Majesty, And upon
M
confi-

consideration thereof, to our great joy and content, find therein cleere expressions of Grace and Favour, from both Your Majesties, for which we return our most humble thanks, and have herewithall, sent the Transcript of that Letter requited by Your Majesty, as likewise of two other Letters directed to Master Secretary *Nicholas*, and Sir *Leves Dives*, all which were brought to us under one cover indorsed to Master Secretary, with information, that they were written by the Lord *Digby*; who being a person fled from the Justice of Parliament, and one who had given many evidences of the dis-affection to the public good; we conceived it necessary to open the two former, and finding sundry expressions in them full of Asperity and Malignity to the Parliament. We thought it very probable, That the like may be contained in that to her Majesty and that it would be dishonorable to her Majestie, and dangerous for the Kingdom if it should not be opened, wherein wee were no whit deceived as Your Majesty may well perceive by the Contents thereof.

And although we cannot but be very sensible of the great dishonour therein done to Your Majesties, and the malicious endeavours of fomenting and encreasing the Jealousie betwixt Your Majesty and Your people. Yet wee are farre from reflecting any thing upon the Queen; or expecting any satisfaction from Her Majesty; But impute all to the bold and envenomed spirit of the man; Only we most earnestly beseech Your Majesty to perswade the Queen, that Shee will not vouchsafe any countenance to, or correspondency with the Lord *Digby* or any other of the fugitives or Traitours whose offences now depend under the examination and judgment of Parliament, which we assure our selves will be very effectually to further the removall of all Jealousies and Discontents betwixt Your Majesty and Your people, and the settling the great Affairs of Your Majesty, and the Kingdom, in an assured State and condition of Honour, safety, and prosperity.

A Message from both Houses of Parliament unto
His Majesty, concerning the Prince,
his Sonne.

THe Lords and Commons in Parliament humbly desire his Majesty, That the Prince may not be removed from *Hampton Court*; And that for these ensuing Reasons. They conceive his Majesty had resolved that the Prince should stay at *Hampton Court* untill his Majesties Return.

2 That the Lord Marquesse *Hertford*, appointed by his Majesty to be Governour of the Prince, and approved of, and commanded by the Parliament to give his personall attendance on the Prince, Is now so indisposed in his health, that he is not able to attend the Prince to any other place.

3 That the Prince his Removall at this time from *Hampton Court* may be a cause to promote Jealousies and Fears in the hearts of his Majesties good Subjects, which they conceive very necessary to avoid.

Die Iovis 24, Febr. 1641.

Ordered by the Lords and Commons in Parliament, that the Lord Howard of Char shall attend upon the King, and present these Reasons unto his Majesty.

John Brown. Cler. Parliament.

His Majesties Answer to the Reasons Hee Received by way of Message from both Houses concerning the Prince, his Son.

THAT his Majesty intended at his Remove from *Hampton Court* with his Royall Consort the Queene, towards *Dover*, That the Prince his Sonne should stay at *Hampton Court*, till his Majesty returned to some of his Houses, & thereupon, as soon as his Majesty resolved upon a certain day to be at *Greenwich*, he commanded that his Son should attend him there, which was no way contrary to his former Intension.

2 That his Majesty was very sorry to heare of the Indisposition of the Marquesse *Hertford*, being the Person upon whom he principally relies for the Care of his dearest Son; But if that Indisposition should have lasted, his Majesty could no ways think fit that his want of health should have hindred the Prince from wayting upon his Majesty, according to his Command, and therefore would have bin much offended if the Prince had failed of meeting his Majesty, according to his appointment.

3 To the Fears and Jealousies his Majesty knows not what Answer to give, not being able to imagine from what grounds they proceed. But if any Information have bin given to that purpose, His Majesty much desires that the same may be examined to the bottom, and then hee hopes that their Feares and Jealousies will be hereafter continued onely with Reference to his Majesties Rights and Honour.

**The Votes of the Lords and Commons,
Upon the Propositions made by divers worthy and
wel-affected persons, for the speedy and effe-
ctuell reducing of the Kingdom
of Ireland.**

THe Lords and Commons taking into their serious considerations, as well the necessity of a speedy reducing of the Rebels of *Ireland* to their due obedience, as also the great sums of money, that the Commons of this Realm have of late paid for the publike and necessary Affairs of the Kingdom; whereof the Lords and Commons are very sensible, and desirous to imbrace all good and honourable ways tending to his Majesties greatnesse, and profit, the settling of that Realm, and the ease of his Majesties Subjects of *England*; And whereas divers worthy and wel-affected persons perceiving that many millions of Acres of the Rebels Lands of that Kingdom, which goe under the name of profitable Lands, will be confiscate, and to be disposed of, and that in case two millions and a halfe of those Acres to be equally taken out of the four Provinces of that Kingdom, may be allotted for the satisfaction of such persons as shall disburse any sums of money for the reducing of the Rebels there, would effectually accomplish the same, have made these Propositions insuing.

1 That two millions and an halfe of those Acres may be assigned, allotted and divided amongst them after this proportion: *viz.*

For each Adven- ture of	{	200 li. 1000 Acres in <i>Ulster</i> .
		300 li. 1000 Acres in <i>Conaght</i> .
		450 li. 1000 Acres in <i>Munster</i> .
		600 li. 1000 Acres in <i>Leinster</i> .

All according to the English measure, and consisting of Meadow, Arable; and profitable Pasture, the Bogs, Woods, and barren Mountains being cast in over and above. These two millions and a half of Acres to be holden in free and common Soccage of the King, as of his Castle of *Doublin*.

2 That out of those two millions and an half of Acres, a constant Rent shall be reserved to the Crown of *England*, after this proportion, *viz.*

Out of each Acre thereof in	{	<i>Ulster</i>	1 ^d —
		<i>Conaght</i>	1 ^d —ob.
		<i>Munster</i>	2 ^d —q;
		<i>Leinster</i>	3 ^d —

Where

Whereby his Majesties Revenue out of those Lands will be much improved. besides the advantages that hee will have by the comming to his hands of all other the Lands of the Rebels, and their personall Estates, without any charge unto his Majesty.

3 That for the erecting of Mannors, setting of Waste and Commons, maintaining of Preaching Ministers, creating of Corporations, and regulating of the severall Plantations, one or more Commissions be hereafter granted by Authority of Parliament.

4 That monies for this great occasion may be the more speedily advanced, All the Undertakers in the City of *London*, and within twenty miles distant thereof, shall under-write their severall sums before the twentieth day of *March*, 1641, and all within sixty miles of *London*, before the first day of *April*, 1642. And the rest of the Kingdom before the first day of *May*, 1642.

5 That the severall sums to be under-written, shall be paid in at foure payments, *viz.* one fourth part within ten days after such under-writing, and the other three parts at three moneths, three moneths, and three moneths: all to be paid into the Chamber of *London*.

6 That for the better securing of the said severall sums accordingly, every one that doth so under-write, shall at the time of his Subscription pay downe the twentieth part of the totall sum that shall be by him then under-written.

And in case that the residue of his first fourth part be not paid in to such person or persons, as shall be appointed to receive the same within the ten dayes before limited; then such Party shall not onely forfeit the twentieth part of the Sum totall formerly deposited, but so much more of his first fourth payment to be added thereunto, as shall make up the one moiety of the said first payment. And if the same person shall fail in any other of the three payments, hee shall then forfeit his entire first fourth part, and all the benefit of his Subscription, which forfeiture shall accrue to the common benefit of the rest of the Undertakers.

The Lords and Commons upon due and mature deliberation of these Propositions, have approved of them, and given their consent unto the same, and will become humble Petitioners to his Majestic for his Royall approbation thereof; and that hereafter hee will be pleased upon the humble suit of both Houses of Parliament, to give his Royall Assent to such Bills as they shall tender unto Him for the setting of those Propositions, and all other things necessarily conducing thereunto.

BY vertue of an Order of the Honourable House of Commons, made on Monday the seventh of this present Moneth of *February* 1641. Wee (the Committee appointed, to receive the moneys given, by the Members of

the House of Commons, for the Relief of the poore distressed people that are come out of *Ireland* are to require you to send unto us, or any one of us, a Certificate, what summes of money are collected within your Parish for the relief of the poore distressed people of *Ireland*, and to require you to bring in such summes of money, as you have received, to that Committee, who are authorized by the House to receive the same.

Dated at Westminster, the fifteenth day of February, 1641.

**The Committee appointed by the House for the
said Collection are**

Sir Edward Aiscough Knight, { Francis Rowse
Henry Martin
William Wheeler } Esquires.

To the Minister, and Churchwardens of the Parish of

**His Majesties gracious Answer and Assent,
Declared unto both Houses of Parliament, February 24, 1641, was as followeth.**

His Majesty being very glad to receive any Proposition that may repaire the calamity of his distressed Kingdome of *Ireland*, especially when it may be without burthen or imposition, and for the ease of his good Subjects of this Kingdom, hath graciously considered the Overture made by both Houses of Parliament to that purpose, and returns this Answer :

That as he hath offered, and is still ready to venture his own Royall Person for the Recovery of that Kingdom, if his Parliament shall advise him thereunto, so he will not deny to contribute any other assistance hee can to that Service, by parting with any profit, or advantage of his own there : And therefore (relying upon the wisdom of his Parliament) doth consent to every Proposition now made to him, without taking time to examine, whether this course may not retard the reducing of that Kingdom, by exasperating the Rebels, and rendering them desperate of being received into Grace, if they shall return to their Obedience.

And his Majesty will be ready to give his Royall assent to all such Bills as shall be tendered unto him by his Parliament, for the confirmation of every particular of this Proposition.

Die Veneris 25, Febr. 1641.

Ordered by the Lords in Parliament, That the Propositions concerning Ireland, and his Majesties gracious Answer thereunto, together with the Directions, shall be forthwith Printed and published.

And for the better effecting of this work, the Lords and Commons have thought fit to publish these ensuing Directions.

VV Hereas according to the proportion of Lands in the Propositions mentioned (being two millions and a half of Acres) the Sums to be underwritten will not exceed one million of money.

It will be requisite that together with the Sums under-written the day and time of each Subscription be likewise set down; to the intent that those who do under-write before the million of money shall be made up, may not be excluded from the benefit of their respective Subscriptions, in case they make payment of the respective Sums according to the Propositions.

Nevertheless, if any shall under-write after the million of money shall be made up, they shall be admitted to the shares of such as (having under-written to the million) shall fail of payment according to the Propositions, or else (at their election) shall be forthwith repayed all such Sums as they shall have paid in, upon hope of taking benefit of the Propositions.

2 The places to be appointed for the severall under-writings, to be For the Cities of *London* and *Westminster*, and the Counties of *Surrey* and *Middlesex*, the Chamber of *London*; for all other Counties in *England* and *Wales* the Towns where the last Assises were kept: But any of those Counties that shall desire to under-write in *London*, may be at liberty to doe it there.

VV 3 The persons to be employed in taking the under-writings and receiving the monies, for *London* and *Westminster*, *Middlesex* and *Surrey*, are to be such as upon further consultation with the Citizens of *London* shall be appointed.

And in all other Counties, the Sheriffs of the severall Counties respectively:

Atively: who are to give Acquittances for such Sums as they shall receive.

4 That printed Books of the Propositions, and his Majesties Answer thereunto, and of the Instructions, shall be sent, and Letters written from the Speaker to the severall Sheriffs of the said Countyes, who shall publish the Books and Letters at the next Assizes, and shall then likewise give publike notice of the times and places by them to be appointed, aswell for the severall Under-writings, as for the payment of the Sums that shall be under-written: And for the better publishing of those Books, the severall Citizens and Burgeses of the House of Commons shall forthwith send down severall Books and Letters, to the head-Officers of their Cities and Boroughs respectively.

5 That the severall Sheriffs shall from week to week, send up to the Chamber of *London*, a true List of the names and Sums subscribed, and of the time of the Subscription.

6 For the better encouragement of such persons as shall be employed for the City of *London* and the parts adjoyning, as likewise of the said Sheriffs and such other persons as shall be by them employed herein, it shall, and may be lawfull for the said Sheriffs, and for the said persons appointed for the City of *London* respectively, to deduct and retain to his or their use, after the rate of one penny in the pound, for their pains and charges in receiving the said Sums, and in returning the same.

7 That together with the Printed Propositions and Letters from the Speaker, Paper Books with Titles prefixed shall be sent downe to the Sheriffs of each County, in the beginning of which Books next under the Titles, the Knights, Citizens, and Burgeses respectively that serve for the same, and who shall under-write any Sum, according to the said Propositions, shall subscribe their names and Sums in the first place.

FINIS.

An Ordinance of both Houses of *Parliament*, for the ordering of the *Militia* of the Kingdome of *England*, and Dominion of *Wales*.

VV Hereas there hath beene of late a most dangerous and desperate Designe upon the House of Commons, which we have just cause to believe to be an effect of the bloudy Counsels of Papists, and other ill-affecteed persons, who have already raised a Rebellion in the Kingdom of *Ireland*:
And

And by reason of many discoveries, we cannot but feare they will proceed, not onely to stir up the like Rebellion and Insurrections in this Kingdom of *England*, but also to back them with Forces from abroad.

For the safety therefore of his Majesties Person, the Parliament and Kingdom in this time of imminent danger;

It is ordained by the King, the Lords and Commons now in Parliament assembled, that shall have power to assemble and call together all and singular his Majesties Subjects within the County of as well within Liberties as without, that are meet and fit for the Wars, and them to traine, exercise and put in readinesse, and them after their abilities and faculties well and sufficiently from time to time to cause to be Arrayed and Weaponed, and to take the muster of them in places most fit for that purpose.

And shall have power within the said County, to nominate and appoint such persons of quality as to him shall seem meet to be his Deputy Lieutenants to be approved of by both Houses of Parliament. And that any one or more of the said Deputies so assigned and approved of, shall in the absence, or by the command of the said have power and authority to do and execute within the County all such powers and authorities before in this present Ordinance contained. And shall have power to make Colonels and Captains, and other Officers, and to remove out of their places, and to make others, from time to time, as he shall think fit for that purpose. And his Deputies, Colonels, and Captains and other Officers shall have further power and authority to lead, conduct, and employ the persons aforesaid Arrayed and Weaponed, as well within the County of as within any other part of this Realm of *England* or Dominion of *Wales*, for the suppression of all Rebellions, Insurrections, and Invasions that may happen, according as they from time to time shall receive directions by his Majesties Authority signified unto them by the Lords and Commons assembled in Parliament.

And it is further ordained, that such persons as shall not obey in any of the premisses, shall answer their neglect and contempt to the Lords and Commons in a Parliamentary way, and not otherwise, nor elsewhere, and that every the powers granted as aforesaid, shall continue, untill it shall be otherwise ordered or declared by both Houses of Parliament, and no longer.

This is to go also to the Dominion of Wales.

John Brown. Cler. Parliament.

CHARLES REX.

To Our trustie and right welbeloved Counsellor Edward Lord
Littleton Keeper of the great Seale.

Right

TRuffy, and Right welbeloved Counsellour, We greet you well, Our will and pleasure is, that you deliver to be read in the House of Peeres this Our answer to the desire from both Houses concerning the *Militia*; and for so doing, this shall be your sufficient warrant. Given at Our House at *Greenwich* the 28. of *February*, 1641.

His Majesties Answer to both Houses of Parliament,
concerning the *Militia*, *February*, 28. 1641.

HIS Majesty having with his best Care and understanding, perused and considered that which was sent him from both Houses, for the ordering of the *Militia* presented unto him to be made an ordinance of Parliament, by the giving of his Royall Assent, as he can by no meanes doe it for the reasons hereafter mentioned, so he doth not conceive himselfe obliged by any promise made in his answer of the second of this moneth, to the Petition of both Houses to yeeld the same.

His Majesty finds great cause to accept against the Preface or Introduction to that Order, which confesseth a most dangerous and desperate designe upon the House of Commons of late, supposed to be an effect of the bloody counsells of Papists and other ill affected persons, by which many may understand (looking upon other Printed Papers to that purpose) His comming in Person to the House of Commons on the fourth of January, which begot so unhappy a misunderstanding betweene him and his People, and for that though he beleeves it upon the information since given him to be an apparent breach of their privilege; and hath offered, and is ready to reparaire the same for the future, by any Act shall be desired of his Majestie, yet he must declare and require to be beleived, that he had no other designe upon that House or any Member of it, then to require as he did the persons of those five Gentlemen, his Majesty had the day before accused of high Treason, and to declare that he meant to proceed against them legally and speedily, upon which he beleeveth that House would have delivered them up, and his Majestie calls the Almighty

God to witnesse, that he was so farre from any intention or thought of force or violence, although that House had not delivered them according to his demand, or in any case whatsoever, that he gave those his Servants and others, who then waited on his Majesty, expresse charge and command that they should give no offence to any man, nay if they received any provocation or injury that they should beare it without returne, and his Majesty neither saw or knew that any person of his traine had any other weapons, but his Pensioners and Guard, those with which they usually attend his Person to Parliament, and the other Gentlemen swords. And therefore his Majesty doubts not but this Parliament will bee regardfull of his honour herein, that he shall not undergoe any imputation by the rash or indiscreet expressions of any Young men then in his Traine, or by any desperate words uttered by others, who might mingle with them without his consent or approbation.

For the persons nominated to be Lieutenants of the severall Counties of England and Wales, his Majesty is contented to allow that recommendation, onely concerning the City of London and such other Corporations, as by ancient Charters have granted unto them the power of the *Militia*, his Majesty doth not conceive, that it can stand with justice or policy to alter their government in that particular.

And His Majestie is willing forthwith to grant every of them, that of London, and those other Corporations excepted, such Commissions as he hath done this Parliament to some Lord Lieutenants by your advise, but if that power be not thought enough, but that more shall be thought fit to bee granted to these persons named, then by the Law is in the Crowne it selfe, His Majesty holds it reasonable, that the same be by some Law first vested in him, with power to transerre it to these persons, which hee will willingly doe; and whatever that power shall be, to avoid all future doubts and questions, His Majesty desires it may be digested into an act of Parliament rather then an Ordinance, so that all his loving Subjects may thereby particularly know both what they are to doe, and what they are to suffer, for their neglect, that there be the least latitude for his good Subjects to suffer under any Arbitrary power whatsoever.

As to the time desired for the continuance of the powers to be granted, His Majesty giveth this answer, That He cannot consent to devest Himselfe of the just power which God and the Lawes of this Kingdome have placed in Him for the defence of His people, and to put it into the hands of others for any indefinite time. And since the ground of Request from His Parliament was to secure their present feares and jealousies, that they might with safety apply themselves to the matter of His Message of the 20. of January, His Majesty

hopeth that His Grace to them since that time in yeelding to so many of their desires, and in agreeing to the Persons now recommended to Him by His Parliament and the power before expressed to be placed in them, wil wholly dispell those feares and Jealousies, and assureth them that as His Majestie hath now applyed this unusuall remedy to their doubts, so (if there shall be cause) Hee will continue the same to such time as shall be agreeable to the same care Hee now expresth towards them.

And in this answer, His Majesty is so farre from receding from any thing He promised, or intended to grant in His answer to the former Petition; that His Majestie hath hereby consented to all was then asked of Him by that Petition concerning the *Militia* of the Kingdome (except that of *London*, and those other Corporations) which was to put the same into the hands of such persons as should be recommended unto him by both Houses of Parliament: And his Majestie doubts not, but the Parliament, upon well weighing the particulars of this His answer, will find the same more satisfactory to their ends, and the peace and welfare of all His good Subjects, then the way proposed by this intended Ordinance, to which, for these Reasons, His Majestie cannot consent.

And whereas his Majestie observes by the Petition of both Houses, presented to Him by the Earle of *Portland*, Sir *Thomas Heale*, and Sir *William Savile*, That in some places, some persons begin already to intermeddle of themselves with the *Militia*, His Majestie expecteth that His Parliament should examine the particulars thereof, it being a matter of high Concernment, and very great Consequence.

And His Majesty requireth, that if it shall appeare to His Parliament, that any persons whatsoever have presumed to command the *Militia* without lawfull authoritie, they may be proceeded against according to Law.

A Cople of the Petition of both Houses of Parliament, concerning the *Militia*, &c.

Presented to his MAJESTIE at *Theobalds*,

1. Martii, 1641.

Most Gracious Sovereigne,

YOur Majesties most loyall and obedient Subjects, the Lords and Commons in Parliament, doe find their just apprehensions of sorrow and feare, in respect of the publick dangers and miseries like to fall upon Your Majestie and the Kingdome, to be much increased; upon the receipt of
Your

Your unexpected denyall of their most humble and necessary Petition, concerning the *Militia* of the Kingdome; especially grieving, that wicked and mischievous Counsellours should still have that power with Your Majestie, as in this time of imminent and approaching Ruine, rather to incline Your Resolutions to that which is apt to further the accomplishment of the desires of the most malignant enemies of Gods true Religion, and of the peace and safetie of Your Selfe, and Your Kingdome, then to the dutifull and faithfull Counsell of Your Parliament.

Wherefore they are enforced in all humility to Protest, That if Your Majestie shall persist in that deniall, the dangers and distempers of the Kingdome are such, as will indure no longer delay: But unlesse You shall be graciously pleased to assure them by these Messengers, that you will speedily apply Your Royall assent to the satisfaction of their former desires, they shall be enforced, for the safetie of Your Majestie and Your Kingdomes, to dispose of the *Militia*, by the Authority of both Houses, in such manner as hath been propounded to Your Majestie, and they resolve to doe it accordingly.

They likewise most humbly beseech your Majestie to beleeve, That the dangerous and desperate Designe upon the House of Commons, mentioned in their Preamble, was not inserted with any intention to cast the least aspersion upon Your Majestie, but therein they reflected upon that malignant party, of whose bloody and malicious practices they have had so often expriences, and from which they can never be secure unlesse Your Majestie will be pleased to put from You those wicked and unfaithfull Counsellours, who interpose their owne corrupt and malicious Designes betwixt Your Majesties Goodnesse and Wisdome, and the prosperity and contentment of Your Selfe, and of Your people; and that for the dispatch of the great affaires of the Kingdome, the safetie of Your Person, the protection and comfort of Your Subjects, You will be pleased to continue Your abode neere to *London* and the Parliament, and not to withdraw Your Selfe to any the remoter parts; which if Your Majestie should doe, must needs bee a cause of great danger and distraction.

That Your Majestie will likewise bee graciously pleased to continue the Prince his Highnesse in these parts at Saint *James*, or any other of Your houses neere *London*, whereby the Designes which the enemies of the Religion and Peace of this Kingdome may have upon his Person, and the jealousies and feares of Your People may be prevented.

And they beseech Your Majestie to be informed by them, That by the Lawes of the Kingdome, the power of raising, ordering, and disposing of the *Militia*, within any Citie, Towne, or other place, cannot be granted to any Corporation by Charter, or otherwise, without the authoritie and consent of

Parliament : And that those parts of the Kingdome which have put themselves in a posture of defence against the common danger, have therein done nothing but according to the Declaration and direction of both Houses, and what is justifiable by the Lawes of this Kingdome.

All which their most humble counsell and desires, they pray your Majesty to accept, as the effect of that Dutie and Allegiance which they owe unto You, and which will not suffer them to admit of any thoughts, intentions, or endeavours, but such as are necessary and advantagious for Your Majesties Greatnesse and Honour, and the safetie and prosperity of the Kingdome according to that trust and power which the Lawes have reposed in them.

His Majesties Answer to the Petition of both Houses, Presented the first of *March*, 1641

I Am so much amazed at this Message, that I know not what to Answer: You speake of Jealousies and Feares : Lay your hands to your hearts, and aske your selves whether I may not likewise be disturbed with Feares and Jealousies : And if so, I assure you this Message hath nothing lessened them.

For the *Militia*, I thought so much of it before I sent that Answer, and am so much assured that the Answer is agreeable to what in Justice or Reason you can aske, or I in Honour grant, that I shall not alter it in any point.

For my Residence neere you, I wish it might bee so safe and Honourable, that I had no cause to absent my Selfe from *White-hall* ; Aske your selves whether I have not.

For my Son, I shall take that care of him, which shall justifie me to God as a Father, and to my Dominions as a King.

To conclude, I assure you upon my Honour, that I have no thought but of Peace and Justice to my people, which I shall by all faire meanes seeke to preserve and maintaine, relying upon the Goodnesse and Providence of God, for the preservation of my Selfe and Rights.

FINIS.

Divers

Divers Questions upon his Majesties last Answer concerning the Militia, Resolved upon by the House of Commons.

Resolved, &c. That this Answer of his Majesty is a denyall to the desires of both Houses of Parliament, concerning the Militia.

Resolved, &c. That those that advised his Majesty to give this Answer, are Enemies to the State, and mischievous Projectors against the defence of the Kingdom.

Resolved, &c. That this denyall is of that dangerous Consequence, that if his Majesty shal persist in it, it will hazard the peace and safety of all his Kingdomes, unlesse some speedy remedy be applyed by the Wildome and Authority of both Houses of Parliament.

Resolved, &c. That such parts of this Kingdom as have put themselves into a Posture of defence against the common danger, have done nothing but what is justifiable, and is approved by the House.

Resolved, &c. That if his Majestie shall remove into any remote Parts from his Parliament it will be a great hazard to the Kingdome; and a great prejudice to the Proceedings of the Parliament.

Resolved, &c. That this House holds it necessary, That his Majesty may be desired, that the Prince may come unto Saint James, or to some other convenient place neer about London, and there to continue.

Resolved, &c. That the Lords be desired to joyne with this House in an humble request unto his Majesty; That he will be pleased to reside neer his Parliament, that both Houses may have a convenience of Accessse unto him upon all occasions.

Resolved, &c. That the Lords be moved to joyn with this House in some fit course of examination, to find who were the persons that gave his Majestie this advice, That they may be removed from his Majestie, and brought to condigne punishment.

Resolved, &c. That no Charter can be granted by the King, to create a power in any Corporation, over the Militia of that place, without consent of Parliament.

Resolved, &c. That the Lords shall be moved to joyne with this House in these Votes.

Resolved, &c. That the Lords shall be desired to appoint a select Committee, that may joyn with a Committee of a proportionable number of this House, to consider, and prepare what is fit to be done upon these Votes, or upon any thing else that may arise upon this Answer of his Majestie concerning the Militia, and concerning the Prince.

March

March 2.

Questions resolved upon by both Houses of parliament.
 With an Order for the speedy Rigging of the
 Navy, for the defence of the
 Kingdom.

Resolved, &c. That the Kingdom be forth-with put into a Posture of defence, by authority of both Houses, in such a way as is already agreed upon by both Houses of Parliament.

Resolved, &c. That the Lords be desired to joyne with the House of Commons in this Vote.

Resolved, &c. That a Committee shall be appointed to prepare a Declaration upon these two Heads, viz.

I. To lay downe the just causes of the feares and jealousies given to these Houses: and to cleer these Houses from any jealousies conceived against them.

II. And to consider of all matters that may arise upon this Message of his Majestie, and to declare their opinions what is fit to be done thereupon.

Die Mercurii, 2 Martii.

THe Lords and Commons in this present Parliament assembled, having received advertisement of extraordinary preparations made by the neighbouring Princes, both by Land and Sea; the intentions whereof have bin so represented, as to raise an apprehension in both Houses, That the publike Honour, Peace, and Safety of his Majesty and his Kingdom cannot be secured, unlesse a timely course be taken for the putting of this Kingdom into a Condition of defence, at Sea, as well as Land. It is therefore Ordered by the Lords and Commons aforesaid, That the Earl of *Northumberland*, Lord high Admirall of *England*, do forth-with give effectuall direction and order, that all and every the Ships belonging to his Majesties Navy, which are fit for service, and not already abroad, nor designed for this Summers Fleet, be with all speed rigged, and put in such a readinesse, as that they may soone be fitted for the Sea; And that his Lordship do also make knowne unto all the Masters and Owners of such Ships as now are in, or about any the Harbours of this Kingdome, and may be of use for the publike defence hereof, That it will be an acceptable service to the King and Parliament, if they likewise will cause their Ships to be Rigged, and so far put in readinesse, as they may be at a short warning set forth to Sea, upon any immergent occasion, which will be a means of great security to his Majesty and his Dominions.

The Declaration.

May it please your Majestie,

Although the Expressions in your Majesties Message of the second of this instant *March*, do give just cause of sorrow to us your faithfull Subjects, the Lords and Commons in Parliament, yet it is not without some mixture of confidence and hope, considering they proceeded from the mis-apprehension of our Actions and Intensions, which having no ground of Truth or Reality, may by your Majesties Justice and Wisdome be removed when your Majestie shall be fully informed, that those Feares and Jealousies of ours, which your Majestie thinks to be causse, and without any just ground, doe necessarily and cleerly arise from those dangers and distempers, into which the mischievous and evill Counsels about you have brought this Kingdom; And that those other Feares and Jealousies, by which your favour, your Royall Presence, and confidence have been withdrawn from your Parliament, have no foundation or subsistence in any action, intention, or miscarriage of ours, but are meerly grounded upon the falshood and malice of those, who, for the supporting and fomenting their own wicked designs, against the Religion and Peace of the Kingdom, do seek to deprive your Majestie of the Strength and Affection of your People, them of your Grace and Protection, and thereby to subject both your Royall Person, and the whole Kingdom to ruine and destruction.

To satisfie your Majesties iudgment and conscience in both these points: wee desire to make a cleer and free Declaration of the causes of our feares and jealousies, which we offer to your Majestie, in these particulars:

1 That the designe of altering Religion in this, and in your other Kingdoms, hath been potently carried on by those in greatest Authority about you for divers yeers together, the *Queens Agent at Rome*, and the *Popes Agent or Nuncio* here, are not onely evidences of this designe, but have beene great Actors in it.

2 That the War with *Scotland* was procured to make way for this intent, and chiefly invited and fomented by the Papists, and others popishly affected, whereof we have many evidences, especially their free and generall contribution to it.

3 That the Rebellion in *Ireland* was framed and contrived here in *England*, and that the English Papists should have risen about the same time, wee have severall testimonies, and advertisements from *Ireland*; and that it is a common speech amongst the Rebels, wherewith concur other Evidences and observati-

ons of the suspitions, meetings, and consultations, the tumultuary and seditious carriage of those of that Religion in divers parts of this Kingdom. about the time of the breaking out of the Irish Rebellion ; The deposition of *O Connely*, the Information of Master *Cole* Minister, the Letter of *Trestram Whitcombe*, the deposition of *Thomas Crant*, and many others which wee may produce, do all agree in this. The publike Declaration of the Lords, Gentlemen, and others of the Pale, that they would joyn with the Rebels, whom they call the Irish Army, or any other, to recover unto his Maiessty his Royall Prerogative, wrested from him by the Puritan Faction in the Houses of Parliament in *England*, and to mayntain the same against all others, as also to mayntain Episcopall Jurisdiction, and the lawfulness thereof; these two being Quarrels, upon which his Maiessties late Army in the North should have bin incensed against us.

The great cause we have to doubt that that late designe styled, *The Queens pious intention*, was for the alteration of Religion in this Kingdom, for successe whereof, the Popes Nuncio, the Count *Rosetti* injoynd Fasting and Praying to be observed every Week by the English Papiests; which appeared to us by one of the Originall Letters, directed by him to a Priest in *Lancashire*.

The boldnesse of the Irish Rebels, in affirming they do nothing, but by Authority from the King; That they call themselves the Queens Army: That the prey or booty which they take from the *English*, they marke with the Queens Mark: That their purpose was to come to *England*, after they had done in *Ireland*, and sundry other things of this kinde proved by *O Connely*, and divers others, especially in the fore-mentioned Letter from *Trestram Whitcombe*, the Major of *Kinsale*, to his Brother *Benjamin Whitcombe*, wherein there is this passage. That many other strange speeches they utter about Religion, and our Court of *England*, which he dares not commit to paper.

The manifold attempts to provoke Your Maiessties late Army, and the Army of the *Scots*, and to raise a faction in the City of *London*, and other parts of the Kingdom: That those who have beene Actors in those busineses, have had their dependance, their countenance, and encouragement from the Court; Witnesse the Treason whereof Master *Iermin* and others stand accused; who was transported beyond Sea by Warrant under Your Maiessties Hand, after Your Maiessty had given Assurance to your Parliament, that Your Maiessty had laid a strict command upon all your Servants, that none of them should depart from Court: And that dangerous Petition, delivered to Captain *Leg*, by your Maiessties own Hand, accompanied with a Direction, Signed with *C. R.*

The false and scandalous accusation, against the Lord *Kimbolton*, and the five Members of the House of Commons, tendred to the Parliament by your Maiessties own Command; endeavoured to be justified in the City, by your owne
pre-

presence and perswasion, and to be put in execution upon their persons, by your Majesties demand of them in the House of Commons, in so terrible and violent a manner, as far exceeded all former breaches of Priviledges of Parliament, acted by your Majesty, or any of your Predecessors: And whatsoever your own intentions were, divers bloody and desperate persons which attended your Majestic, discovered their affections and resolutions to have massacred and destroyed the Members of that House, if the absence of those persons accused had not, by Gods providence, stopt the giving of that word which they expected, for the setting them upon that barbarous and bloody act: The Listing of so many Officers, Souldiers, and others, putting them into pay, and under command of Colonels: feasting and caressing them in an unusuall manner at *Whitehall*, thereby mayntaining them in the violent assaults, and other iniuries which they offered to divers of your Subjects, comming that way in a lawfull and peaceable manner: the carrying them out of Towne, after which they were told by the Lord *Digby*. That the King removed on purpose, that they might not be trampled in the dirt: And keeping them so long in pay, endeavouring to ingage the Gentlemen of the Innes of Court, in the same course: The plotting and designing of a perpetuall Guard about your Majesty: The labouring to infuse into your Majesties Subjects an evill opinion of the Parliament, thorow the whole Kingdome, and other Symptomes of a disposition of raising Arms, and dividing your people by a Civill War; in which combustion *Ireland* must needs be lost, and this Kingdom miserably wasted and consumed, if not wholly ruined and destroyed.

That after a Vote had passed in the House of Commons, declaring, That the Lord *Digby* had appeared in a warlike manner at *Kingston* upon *Thames*, to the terrour and fright of your Majesties good Subjects, and disturbance of the publike peace of the Kingdom; and that therefore the Lords should be moved to require his attendance, he should neverthelesse, be of that credit with your Majesty, as to be sent away by your own Warrant to Sir *John Pennington*, to land him beyond the Sea; from whence hee vented his owne traiterous conceptions, That your Majesty should declare your self, and retire to a place of streagth in this Kingdom, as if your Majesty could not be safe among your people: And withall took that transcendent boldnesse to write to the Queen, offering to entertain correspondency with her Majesty by Cyphers, intimating some service which he might do in those Parts; for which, he desired your Majesties instructions, whereby in probability, hee intended the preccuring of some forraigne Force to strengthen your Majesty, in that condition into which he would have brought you: Which false and malicious counsell and advice, wee have great cause to doubt, made too deep an impression in your Majesty, considering the course you are pleased to take, of absenting your self from your Parliament,

and carrying the Prince with you, which seemes to expresse a purpose in your Majestie, to keep your selfe in a readinesse for the acting of it.

The manifold Advertisements which we have had from *Rome, Venice, Paris*, and other parts, that they still expect that your Majestie has some great Designe in hand, for the altering of Religion, the breaking the neck of your Parliament: That you will yet find meanes to compasse that Designe, that the Popes *Nuncio* hath solicited the Kings of *France* and *Spainne* to lend your Majestie foure thousand men a-piece to help to maintaine your Royaltie against the Parliament: And this Forraigne force, as it is the most pernicious and malignant Designe of all the rest, so we hope it is and shall alwayes bee farthest from your Majesties thoughts, because no man can beleve you will give up your people and Kingdome to be spoyled by strangers, if you did not likewise intend to change both your owne profession in Religion, and the publick profession of the Kingdome, that so you might still be more assured of those Forraigne States of the Popish Religion, for your future support and defence.

These are some of the grounds of our feares and Jealousies which made us so earnestly to implore your royall Authoritie and protection for our defence and securitie, in all the wayes of Humilitie and submission, which being denied by your Majestie seduced by evill Counsell, we doe with sorrow for the great & inavoydable misery and danger, which thereby is like to fa'l upon your owne person, and your Kingdomes apply our selves to the use of that power for the securitie and defence of both, which by the fundamentall Lawes and Constitutions of this Kingdome resides in us, yet still resolving to keepe our selves within the bounds of faithfulnessse and allegiance to your sacred Person and your Crowne, so as to the second sort of Jealousies and feares of Us, expressed by your Majestie, we shall give a shorter, but as true, and as faithfull an Answer.

Whereas Your Majestie is pleased to say that for your residence neere the Parliament, you wish it might be so safe, and honourable, that you had no cause to absent your selfe from *Whitehall*; This we take as the greatest breach of Priviledge of Parliament that can be offered; As the heaviest misery to your selfe, and imputation upon us that can be imagined, And the most mischievous effect of evill Councils; it roots up the strongest foundation of the safetie and honour which your Crowne affords; It seemes as much as may be, to cast upon the Parliament, such a charge, as is inconsistent with the nature of that great Councell, being the body whereof your Majesties is the head; it strikes at the very being, both of King, and Parliament; depriving your Majestie in your owne apprehension of their fidelity, and them of your protection, which are the mutuall bands and supports of Government, and Subjection.

We have according to your Majesties desire, laid our hands upon our hearts,

we have askt our selves in the strictest examination of our Consciences; wee have searcht our affections, our thoughts, considered our Actions, and we find none that can give your Majestie any just occasion to absent your selfe from *Whitehall*, and the Parliament; but that you may with more honour and safety, continue there then in any other place.

Your Majestie layes a generall tax upon us; If you will be graciously pleased to let us know the particulars, we shall give a cleere and satisfactory Answer: But what hope can we have of ever giving your Majestie satisfaction, when those particulars which you have been made beleieve were true, yet being produced and made knowne to us, appeared to be false; and your Majestie notwithstanding, will neither punish, nor produce the Authours, but goe on to contract new Jealousies and Feares, upon generall and uncertaine grounds, affording us no meanes or possibilitie of particular Answer, to the clearing of our selves; For prooffe whereof, we beseech your Majestie to consider these Instances.

The Speeches alledged to be spoken in a meeting of divers Members of both Houses at *Kensington*, concerning a purpose of restraining the Queene and Prince, which after it was denyed, and disavowed, yet your Majestie refused to name the Authors, though humbly desired by both Houses.

The report of Articles framed against the Queenes Majestie, given out by some of neere relation to the Court; but when it was publickly, and constantly disclaimed, the credit seemed to be withdrawne from it; but the Authors being kept safe, will alwayes be ready for exploits of the same kind, wherewith your Majesty, and the Queen, will be often troubled, if this course be taken to cherish and secure them in such wicked and malicious slanders.

The heavy charge and accusation of the Lord *Kimbolton*, and the five Members of the House of Commons, who refused no tryall or examination, which might stand with the Priviledge of Parliament; yet no Authors, no witnesses produced, against whom they may have reparation for the great injurie and infamy cast upon them; notwithstanding three severall Petitions of both Houses, and the authority of two Acts of Parliament, vouched in the last of those Petitions.

Wee beseech your Majestie to consider in what State you are, how easie, and faire a way you have to happinesse, honour, greatnesse, plenty, and security; if you will joyne with the Parliament, and your faithfull Subjects in defence of the Religion, and publick good of the Kingdome: This is all wee expect from you, and for this we shall returne to you, our lives, fortunes, and uttermost endeavours to support your Majestie, your just Sovereignty and power over us, but it is not words that can secure us in these our humble desires; wee cannot but too well, and sorrowfully remember what gracious Messages we had
O 3 from

from you this Summer, when with your privitie, the bringing up the Army was in agitation : we cannot but with the like affections recall to our minds, how not two dayes before, you gave directions for the above-mentioned accusation, and your owne comming to the Commons House, that House received from your Majestie a gracious Message, that you would alwayes have care of their Priviledges, as of your owne Prerogative, of the safetie of their persons, as of your owne children : That which we expect, which will give us assurance, that you have no thought, but of peace and justice to your People, must bee some reall effect of your goodnesse to them in granting those things, which the present necessity of the Kingdome, doe inforce vs to desire : And in the first place, that your Majestie will be graciously pleased to put from you, those wicked and mischievous Counsellours, which have caused all these dangers and distractions, and to continue your owne Residence, and the Princes neere London, and the Parliament, which we hope will be a happy beginning of contentment, and confidence betwixt your Majestie, and your People, and be followed with many succeeding blessings of Honour and greatnesse to your Majestie, and of securitie and prosperitie to them.

The Additionall Reasons,

THe Lords and Commons have commanded us to present unto your Majesty this further Addition to their former Declaration.

That your Majesties returne, and continuance neere the Parliament, is a matter in their apprehension of so great necessity and importance towards the preservation of your Royall Person and your Kingdomes, that they cannot thinke they have discharged their duties, in the single expression of their desire, unlesse they adde some further Reasons to backe it with.

I. *Your Majesties absence will cause men to beleeve, that it is out of designe to discourage the undertakers, and hinder the other Provisions for raising money for defence of Ireland.*

II. *It will very much hearten the Rebels there, and disaffected persons in this Kingdome, as being an evidence, and effect of the jealousie and division betwixt your Majesty, and your people.*

III. *That it will much weaken and withdraw the affection of the Subject from your Majesty, without which a Prince is deprived of his chiefe strength and lustre, and left naked to the greatest dangers and miseries, that can bee imagined.*

IIII. *That it will invade and encourage the Enemies of our Religion, and*

the State, in forraigne Parts, to the attempting, and acting of their evill designes and intentions towards us.

V. That it causeth a great interruption in the proceedings of Parliament.

These considerations threaten so great danger to your Majesties Person, and to all your Dominions, that as your Majesties great Counsell, they hold it necessary to represent to You, this their faithfull Advice, that so whatsoever followeth, they may be excused before God and man.

His Majesties Speech to the Committee, the ninth of
March. 1641. when they presented the Declaration
of both Houses of Parliament at
New-market.

I Am confident that you expect not I should give you a speedy Answer to this strange and unexpected Declaration ; And I am sorry (in the Distraction of this Kingdome) you should thinke this way of Addressse to be more convenient, then that proposed by my Message of the 20. of January last to both Houses.

As concerning the grounds of your Feares and Jealousies, I will take time to answer particularly. and doubt not but I shall doe it to the satisfaction of all the World. God, in his good time, will, I hope, discover the secrets and bottoms of all Plots and Treasons ; and then I shall stand right in the eyes of all my People. In the meane time, I must tell you, That I rather expected a Vindication for the Imputation laid on me in Master Pims Speech, then that any more generall Rumours and Discourses should get credit with you.

For my Feares and Doubts, I did not thinke they should have been thought so groundlesse or triviall, while so many Seditious Pamphlets and Sermons are looked upon, and so great Tumults are remembred, unpunished, uninquired into : I still confesse my Feares, and call God to witnesse, That they are greater for the true Protestant Profession, my People, and Lawes, then for my own Rights or Safetie ; though I must tell you, I conceive that none of these are free from danger.

What would you have ? Have I violated your Lawes, Have I denied to passe any one Bill for the ease and security of my Subjects ? I doe not aske you what you have done for Me.

Have any of my People been transport with Feares and Apprehensions ? I have

have offered as free and generall a Pardon, as your selves can devise. All this considered, There is a Judgement from Heaven upon this Nation, if these Distractions continue.

God so deal with Me and Mine, as all my thoughts and Intentions are upright for the maintenance of the true Protestant Profession, and for the Observation, and Preservation of the Lawes of this Land: And, I hope, God will bleſſe and aſſiſt thoſe Lawes for my Preservation.

As for the Additionall Declaration, you are to expect an Answer to it, when you ſhall receive the Answer to the Declaration it ſelfe.

Some Paſſages that happened the 9. of *March*, betwene the Kings Maſteſtie and the Committee of both Houſes, when the Declaration was delivered.

WHen His Maſteſtie heard that Part of the Declaration which mentioned Maſter *Iermyns* Transportation, His Maſteſtie interrupted the Earle of *Holland* in reading, and ſaid, That's falſe. Which being afterwards toucht upon againe, His Maſteſtie then ſaid, 'Tis a lye. And when he was informed, it related not to the Date, but the Execution of the Warrant. His Maſteſtie ſaid, it might have been better expreſſed then, and that it was a high thing to take a King with breach of Promiſe. As for this Declaration, His Maſteſtie ſaid, I could not have beleev'd the Parliament would have ſent me ſuch a one, If I had not ſeene it brought by ſuch perſons of honour. I am ſorry for the Parliament, but glad I have it: For by that, I doubt not to ſatiffie my People; though I am confident, the greater part is ſo already.

Yee ſpeake of ill Counſels, but I am Confident, the Parliament hath had worſe informations then I have had Counſels, His Maſteſty asking what hee had denied the Parliament, The Earle of *Holland* inſtanced that of the *Militia*, his Maſteſtie replied, that was no Bill: the Earle of *Holland* then ſaid, it was a neceſſary requeſt at this time, and his Maſteſty alſo then ſaid, he had not denied it.

What paſſed the next day, when his Maſteſtie delivered his Answer.

VWhich was read by the Earle of *Holland* to the reſt of the Committee. And that being done, His Lordſhip endeavoured to perſwade his Maſteſtie to come neere the Parliament. Whereunto his Maſteſtie answered, I would

would you had given me cause, but I am sure this Declaration is not the way to it. And in all *Aristotles Rhetorick*, there is no such Argument of perswasion, The Earle of *Pembroke*, thereupon telling him that the Parliament had humbly besought His Majesty to come neere them aforesaid, His Majestie replied, He had learnt by Our Declaration, that words were not sufficient. His Majesty being then again moved by the said Earle of *Pembroke* to expresse what he would have said, He would whip a Boy in *Westminster* Schoole that could not tell that by his Answer. And further said, They were much mistaken, if they thought his Answer of that, a deniall. And being also asked by the said Earle of *Pembroke*, Whether the *Militia* might not be granted, as was desired, by the Parliament, for a time. His Majesty swore, By God, not for an hour; you have askt that of me in this, was never askt of a King, and with which I will not trust my Wife and Children.

His Majestie said, The Businesse of Ireland will never be done in the way that you are in, Foure hundred will never doe that Work. It must be put into the hands of One. If I were trusted with it, I would pawn my head, to end that Work. And though I am a beggar my self, yet (speaking with a strong asseveration) I can find money for that.

His Majesties Declaration to both Houses of Parliament,
(Which He likewise recommends to the consideration
of all His loving Subjects) in Answer to That
presented to Him at *Newmarket*, the
ninth of *March*, 1641.

THough the Declaration lately presented to Us at *New-market*, from both Our Houses of Parliament, be of so strange a nature, in respect of what We expected (after so many Acts of Grace and Favour to Our People) and some expressions in it so different from the usuall Language to Princes, that We might well take a very long time to consider it; Yet the cleernesse and uprightness of Our Conscience to God, and love to Our Subjects, hath supplied Us with a speedy Answer, and Our unalterable Affection to Our People prevailed with Us, to suppress that passion which might well enough become Us, upon such an Invitation.

Were have considered Our Answer of the first of this moneth at *Theobalds*,
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which is urged to have given just cause of sorrow to Our Subjects. Whosoever looks over that Message (which was in effect to tell Us, That if We would not joyn with them (in an Act which We conceived might prove prejudiciall and dangerous to Us and the whole Kingdom) they would make a Law without Us, and impose it upon Our People) will not thinke that sudden Answer can be excepted to.

¶ We have little encouragement to Replies of this nature, when We are told of how little value Our words are like to be with you, though they come accompanied with all the Actions of Love and Justice (where there is room for Actions to accompany them) yet We cannot but disavow the having any such evill Councell or Councellours about Us, to Our knowledge, as are mentioned, and if any such be discovered, Wee will leave them to the Censure and Judgment of Our Parliament: In the mean time, Wee could wish, that Our owne immediate Actions which Wee avow, and Our owne Honour might not be so roughly censured and wounded; under that common style of Evill Councellours.

For Our faithful & zealous affection to the true Protestant Profession, & Our resolution to concur with Our Parliament in any possible course for the propagation of it & the suppression of Popery, We can say no more then We have already expressed in our Declaration to all Our loving Subjects, published in *January* last, by the advice of Our Privy Councell, in which We endeavoured to make as lively a Confession of our Self in this point, as we were able, being most assured that the constant Practise of Our Life hath been answerable thereunto: And therefore Wee did rather expect a Testimony and Acknowledgment of such Our Zeal and Piety, then those Expressions Wee meet with in this Declaration, of any designe of altering Religion in this Kingdom. And Wee doe (Out of the innocencie of Our Soule) wish, That the Judgments of Heaven may be manifested upon those, who have, or had any such Designe.

As for the *Scots* troubles, We had well thought that those unhappy differences had been wrapt up in perpetuall silence, by the Act of Oblivion, which being solemnly past in the Parliaments of both Kingdoms, stops Our mouth from any other Reply then to shew Our great dislike for reviving the memory thereof.

If the Rebellion in *Ireland* (so odious to all Christians) seemes to have been framed and mayntained in *England*; or to have any countenance from hence, We conjure both Our Houses of Parliament, and all Our loving Subjects whatsoever, to use all possible meanes to discover and find such out, that Wee may joyn in the most exemplary vengeance upon them that can be imagined: But We must think Our self highly and causlessly injured in Our Reputation, if any

Declaration, Action, or Expression of the Irish Rebels, any Letter from Count *Rofettie* to the Papiſts for Faſting and praying, or from *Treſtram Whitcombe*, of ſtrange ſpeeches uttered in *Ireland*, ſhall beget any jealousie, or miſapprehenſion in our Subjects, of Our Juſtice, Piety and Affection, it being evident to all underſtandings, That thoſe miſchievous and wicked Rebels, are not ſo capable of great advantage, as by having their falſe diſcourſes ſo far believed, as to raiſe Fears and Jealouſies to the diſtraction of this Kingdom, the onely way to their ſecurity: And We cannot expreſſe a deeper ſenſe of the ſuffering of Our poore Proteſtant Subjects in that Kingdom, then Wee have done in Our often Meſſages to both Houſes, by which Wee have offered, and are ſtill ready to venture Our Royall Perſon for their Redemption, well knowing, that as VVe are (in Our own Intereſt) more concerned in them, ſo VVe are to make a ſtrict Accompt to Almighty God for any neglect of Our duty, or their preſervation.

For the manifold attempts to provoke Our late Army, and the Army of the *Scots*, and to raiſe a Faction in the City of *London*, and other parts of the Kingdom; If it be ſaid, as relating to Us, VVe cannot without great indignation, ſuffer Our Self to be reproached, to have intended the leaſt Force or threatening to Our Parliament; as the being privy to the bringing up of the Army would imply: Whereas We call God to witneſſe, We never had any ſuch thought or knew of any ſuch reſolution concerning Our late Army.

For the Petition ſhewed to Us by Captain *Legge*, VVe well remember the ſame and the occaſion of that Conference: Capitaine *Legge* being lately come out of the North, and repairing to Us at *Whitehall*, VVe asked him of the ſtate of Our Army, and (after ſome relation made of it) hee told Us, That the Commanders and Officers of the Army had a mind to petition the Parliament, as others of Our people had done, and ſhewed Us the Copy of a Petition, which VVe read, and finding it to be very humble, deſiring the Parliament might receive no interruption in the Reformation of the Church and State, to the modell of *Queene Elizabeths* days; VVe told him, VVe ſaw no harme in it: Whereupon he replied, That he believed all the Officers of the Army would like it, onely he thought Sir *Iacob Aſhley* would be unwilling to ſigne it, out of feare that it might diſpleaſe Us. VVe then read the Petition over again, and then obſerving nothing in matter or forme, Wee conceived could poſſibly give juſt cauſe of offence, VVe delivered it to him again, bidding him give it to Sir *Iacob Aſhley*, for whoſe ſatisfaction VVe had written *C. R.* upon it, to teſtiſie Our approbation; and VVe wiſh that the Petition might be ſeen and publiſhed, and then VVe believe it will appeare no dangerous one, nor a juſt ground for the leaſt jealousie or miſapprehenſion.

For Master *Iermin*, it is well known that he was gone from *Whitehall* before VVe received the desire of both Houses for the restraint of Our servants, neither returned hce thither, or passed over by any VVarrant graned by Us after that time.

For the breach of Priviledge in the Accusation of the Lord *Kimbolton*, and the five Members of the House of Commons, VVe thought VVe had given so ample satisfaction in Our severall Messages to that purpose, that it should be no more pressed against Us, being confident if the breach of Priviledge had bin greater then hath bin ever before offered, our acknowledgment and retraction hath bin greater then ever King hath given, besides the not examining how many of Our Priviledges have bin invaded in defence and vindication of the other; And therefore We hoped Our true and earnest Protestation in Our Answer to your Order concerning the *Militia*, would so far have satisfied you of Our intentions t'ien, that you would no more have entertained any imagination of any other designe then We there expressed.

But why the listeing of so many Officers, and entertaining them at *Whitehall* should be misconstrued, We much marvell, when it is notoriously known, the tumults at *Westminster* were so great, and their demeanours so scandalous and seditious, that Wee had good cause to suppose Our owne Person, and those of Our Wife and Children to be in apparant danger, and therefore VVee had great reason to appoint a Guard about Us, and to accept the dutifull tender of the services of any of Our loving Subjects, which was all We did to the Gentlemen of the Innes of Court.

For the Lord *Digby*, VVe assure you in the word of a King, that he had Our Warrant to passe the Seas, and had left Our Court before VVee ever heard of the Vote of the House of Commons, or had any cause to imagine that his absence would have bin excepted against.

VVhat your Advertisements are from *Rome, Venice, Paris* and other parts, or what the *Pope's Nunzio* sollicitis the Kings of *France* or *Spain* to do, or from what persons such Informations come to you, or how the credit and reputation of such persons have bin sifted and examined, VVee know not, but are confident, no sober honest man in Our Kingdoms can believe, that VVee are so desperate or so senselesse, to entertain such Designes, as would not onely bury this Our Kingdom in sudden distraction and ruine, but Our own Name and Posterity in perpetuall scorn and infamy. And therefore VVe could have wished, that in matters of so high and tender a nature (wherewith the minds of Our good Subjects must needs be startled) all the expressions were so plain and easie, that nothing might stick with them with reflection upon Us, since you thought fit to publish it all.

And having now dealt thus plainly and freely with you by way of Answer to the particular grounds of your Feares, We hope (upon a due consideration and weighing both together) you will not find the Grounds to be of that moment to beget, or longer to continue a misunderstanding betwixt Us, or force you to apply your selves to the use of any other power then what the Law hath given you, the which We alwayes intend shall bee the measure of Our owne power, and expect it shall be the rule of Our Subjects obedience.

Concerning Our Feares and Jealousies, as We had no intention of accusing you, so are We sure no words spoken by Us (on the sudden) at *Theobalds* will beare that Interpretation. We said for Our Residence neere you, Wee wisht it might be so safe and Honourable, that We had no cause to absent Our Selfe from *White-Hall*, and how this can bee a breach of Priviledge of Parliament Wee cannot understand. Wee explained Our meaning in Our Answer at *New-Market*, at the Presentation of this Declaration concerning the Printed seditious Pamphlets and Sermons, and the great tumults at *Westminster* : And We must appeale to you and all the world, whether We might not justly suppose Our Selfe in danger of either. And if We were now at *White-Hall*, what securitie have We, that the like shall not be againe, especially if any Delinquents of that nature have been apprehended by the Ministers of Justice, and been rescued by the People, and so as yet escape unpunished ? If you have not beene informed of the seditious words used in, and the circumstances of those Tumults, and will appoint some way for the examination of them, We will require some of Our learned Councill to attend with such evidence as may satisfie you, and till that be done, or some other course taken for Our security, you cannot (with reason) wonder that We intend not to be where We most desire to be.

And can there yet want evidence of Our hearty and importunate desire to joyne with Our Parliament, and all Our faithfull Subjects, in defence of the Religion and publicke good of the Kingdome ? Have We given you no other earnest but words, to secure you of those desires ? The very Remonstrance of the House of Commons (published in *November* last) of the state of the Kingdome allows Us a more reall testimony of Our good Affections then words : that Remonstrance valued Our Acts of Grace and Justice at so high a rate, that it declared the Kingdome to be then a gainer, though it had charged it selfe by Bills of Subsidies and Pol-money, with the leavy of 600000 pounds, besides the contracting of a Debt to Our Scots Subjects of 220000 pounds.

Are the Bills for the Trienniall Parliament, For relinquishing Our Title of Imposing upon Merchandize, and Power of Pressing of Souldiers, for the taking away the Star-Chamber, and high Commission Conrts, For the Regulating

lating the Councell Table, but words? Are the Bills for the Forests, The Stannery Courts, The Clerke of the Market, And the taking away the Votes of Bishops out of the Lords House, but words? Lastly, what greater earnest of Our trust and reliance on Our Parliament could or can We give, then the passing of the Bill for the continuance of this present Parliament? The length of which We hope will never alter the nature of Parliaments, and the Constitution of this Kingdome, or invite Our Subjects so much to abuse Our Confidence, as to esteeme any thing fit for this Parliament to doe, which were not, if it were in Our power to dissolve it to morrow. And after all these, and many other Acts of Grace on Our part (that We might be sure of a perfect Reconciliation betwixt Us and all Our Subjects) We have offered, and are still ready to grant a free and generall Pardon, as ample as your selves shall thinke fit. Now if these be not reall expressions of the Affections of Our Soule, for the publicke good of Our Kingdome, we must confesse that We want skill to manifest them.

To conclude (although We thinke Our Answer already full to that point) concerning Our Returne to *London* : Wee are willing to Declare, that Wee looke upon it as a matter of so great weight, as with reference to the Affaires of this Kingdom, and to our own inclinations & desires, that if all We can say, or doe, can raise a mutuall Confidence (the onely way with Gods blessing to make us all happy) and by your incouragement the Lawes of the Land, and the government of the City of *London*, may recover some life for Our Security, We will overtake your desires, and be as soone with you as you can wish. And in the meane time, We will be sure, that neither the businesse of *Ireland*, or any other advantage for this Kingdome shall suffer through Our default, or by our abience : We being so farre from repenting the Acts of Our Justice, and Grace, which We have already performed to Our People, that Wee shall with the same Alacrity, be still ready to adde such new ones, as may best advance the Peace, Honour, and Prosperity of this Nation.

A Letter sent from both Houses of Parliament, to all the High-Sheriffs of this Kingdome, concerning the late Propositions for *Ireland*.

Master Sheriff,

THe Lords and Commons being deeply sensible of the unspeakable calamities which his Majesties good Subjects of the Kingdome of *Ireland* doe now suffer by the barbarous cruelties and massacres of the Rebels there, and conceiving these printed Propositions herewith sent (being ratified by his Majesties

Majesties Royall assent, and the unanimous approbation of both Houses of Parliament) doe undoubtedly tend to the speedy and effectuall reducing of those bloody Rebels, the propagating of the Protestant Religion, the augmenting of the greatnesse and the Revenue of the Crowne of *England*, and the establishing of an happy and firme peace for the future in his Majesties three Kingdoms ; and all this to be effected (by Gods gracious assistance) without the generall charge of the Subject, and to the great advantage of those that shall under-write ; have thought fit to require you to publish these printed Propositions and Instructions at this Lent Assizes, to the intent that all his Majesties good people within your Countie, may take notice of the benefit they may receive by under-writing in due time ; And that so many of them then present and willing to subscribe, may give up a Note of their Names, Sums, and dates of their Subscriptions to you, to be entred in the Paper-book mentioned In the printed Instructions, which is forthwith to be sent unto you. And you are further directed hereby, at this Lent Assizes (if they be not past) by the advice and assistance of the Justices of Peace for your County, then present, to appoint certaine dayes and places most convenient for this service ; when and where your selfe, and the Justices of Peace within each division, will be present, to receive the Names, Sums, and times of Subscription, of such of his Majesties well-affected Subjects within your Countie as shall not have subscribed at this Lent Assizes, their Names, Sums, and times of Subscription, to be likewise entred in the Paper-booke. And if this Letter come to your hands after the Assizes. then to appoint such times and places as may best speed this service. And further, your selfe, and the Justices of Peace, the Ministers of Gods Word, and persons of qualitie within your County, are hereby earnestly desired to shew themselves active and exemplary in advancing this great and pious work ; 'Tis a service tending so much to the glory of God, the honour and profit of his Majestie, and the peace and tranquillitie of his three Kingdomes for the future. And you are likewise to informe those that shall under-write, that the Act of Parliament (which his Majestie hath promised to passe for the settling of those two Millions and halfe of Acres) is already in hand, and that the Lands are to be divided so indifferently by Lot amongst them that under-write, that no one man, whatsoever, shall have more respect or advantage than other, in division. And lastly, You are to give a speedie account to the Parliament of your proceedings herein, and of those that doe really advance this service. Thus not doubting of your utmost care and diligence herein, we bid you heartily farewell.

Severall

Severall Votes Resolved upon by both Houses of Parliament, concerning the securing of the Kingdom of England and Dominion of Wales.

Resolved upon the Question by the Lords in Parliament, nemine contradicente.

That the Ordinance of the Lords and Commons in Parliament, for the safety and defence of the Kingdom of *England*, and Dominion of *Wales*, is not any way against the Oath of Allegiance.

Resolved, &c. That the severall Commissions, granted under the Great Seal, to the Lieutenants of the severall Counties, are illegall and void.

Resolved, &c. That whosoever shall execute any Power over the *Militia* of this Kingdom, and Dominion of *Wales* by colour of any Commission of Lieutenancy, without consent of both Houses of Parliament, shall be accounted a disturber of the Peace of the Kingdom.

Die Martis, 15 Martii. 1641.

R*esolved, &c.* That the Kingdom hath bin of late, and still is in so evident and imminent danger, both from enemies abroad, and a Popish and discontented party at home; That there is an urgent and inevitable necessity of putting his Majesties Subjects into a posture of defence, for the safeguard both of his Majestie, and his People.

That the Lords and Commons fully apprehending this danger, and being sensible of their own duty; to provide a sutable prevention, Have in severall Petitions addressed themselves to his Majestie, for the ordering and disposing of the *Militia* of the Kingdom, in such a way, as was agreed upon by the wisdom of both Houses, to be most effectually and proper for the present Exigents of the Kingdom; yet could not obtain it, but his Majestie did severall times refuse to give his Royall assent thereunto.

Ordered, That the House of Peers, agrees with the House of Commons in this Proposition.

Resolved, &c. That in this case of extream danger, and of his Majesties refusal, the Ordinance agreed on by both Houses, for the *Militia*, doth oblige the people, and ought to be obeyed by the Fundamentall Laws of this Kingdom.

Resolved, &c. That these shall be the Heads of a Declaration.

Resolved, &c. That such persons as shall be nominated Deputy Lieutenants, and approved of by both Houses, shall receive the commands of both Houses, to take upon them to execute their Offices.

Ordered by the Lords and Commons in Parliament, That these severall Votes shall be forthwith Printed and Published.

John Brown. Cler. Parliament.

HUNTINGTON 15 Martii, 1641.

His Majesties Message to both Houses of Parliament, upon
His removall to the City of *YORK*.

His Majesty being now in His Remove to His City of *York*, where Hee intends to make His Residence for some time, thinks fit to send this Message to both Houses of Parliament.

That He doth very earnestly desire, that they will use all possible industry in expediting the businesse of *Ireland*, in which they shall finde so cheerfull a concurrence by His Majesty, that no inconvenience shall happen to that Service by His absence, He having all that Passion for the reducing of that Kingdome, which He hath expressed in His former Messages, and being unable by words to manifest more affection to it, then He hath endeavoured to do by those Messages (having likewise done all such Acts as he hath bin moved unto by his Parliament) Therefore if the Misfortunes and Calamities of His poore Protestant Subjects there shall grow upon them (though his Majesty shall be deeply concerned in, and sensible of their sufferings) Hee shall wash His hands before all the World, from the least imputation of slacknesse in that most necessary and pious work.

And that His Majesty may leave no way unattempted, which may beget a good understanding between Him and His Parliament, Hee thinks it necessary to Declare, That as he hath bin so tender of the Priviledges of Parliament, that He hath bin ready and forward to retract any Act of His own, which He hath bin informed hath Trencht upon their Priviledges, so Hee expects an equall tenderesse in them of His Majesties knowne and unquestionable Priviledges (which are the Priviledges of the Kingdom) amongst which, He is assured it is a fundamentall One, That His Subjects cannot be Obligated to Obey any Act,

Order, or Injunction to which His Majesty hath not given His consent : And therefore Hee thinks it necessary to publish, That Hee expects, and hereby requires Obedience from all His loving Subjects, to the Laws established, and that they presume not upon any pretence of Order, or Ordinance (to which His Majestie is no Party) concerning the *Militia*, or any other thing, to doe or execute what is not warranted by those Laws, His Majestie being resolved to keepe the Lawes himselfe, and to require obedience to them from all His Subjects.

And his Majestie once more recommends to His Parliament the substance of His Message of the twentieth of *January* last, that they compose and digest, with all speed, such Acts, as they shall think fit, for the present and future establishment of their Priviledges ; The free and quiet enjoying their Estates and Fortunes ; The Liberties of their Persons ; The security of the true Religion now professed in the Church of *England* ; The mayntaining His Majesties Regall and just Authority, and setting His Revenue ; His Majestie being most desirous to take all fitting and just ways, which may beget a happy understanding between Him and His Parliament, in which Hee conceives His greatest power and riches doth consist.

**The Votes of both Houses of Parliament, concerning the
Kings last Message, sent from *Huntington*, to both
Houses, on Wednesday the sixteenth
of *March* 1641.**

Resolved, &c. That this House shall insist upon their former Votes concerning the *Militia*.

Resolved &c. That the Kings absence so far remote from his Parliament is not onely an obstruction, but may be a destruction to the affaires of *Ireland*.

Resolved, &c, That when the Lords and Commons in Parliament which is the supream Court of Judicature in the Kingdom, shall declare what the Laws of the Land is, to have this not onely questioned and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the priviledge of Parliament.

Resolved, &c, That a Committee shall be appointed by this House to joyned with a Committee of the Lords, to inquire where this Message was framed.

Resolved, &c. That those persons that advise his Majesty to absent himselfe from the Parliament are enemies to the peace of this Kingdome, and justly to be suspected to be favourers of the Rebellion in *Ireland*.

Resolved, &c. That those that advised his Majestie to this Message are enemies to the peace of this Kingdom, and justly to be suspected to be favourers of the Rebellion in *Ireland*.

A new Declaration of both Houses of Parliament sent to
the Kings most excellent Majesty, the sixteenth of
March, upon his Removall from *Hun-*
tington to Yorke.

May it please your Majestie,

YOUR Majesties most humble and faithfull Subjects, the Knights, Citizens, and Burgessees of the Commons House of Parliament, having considered your Majesties Reply to their Answer, touching such persons as have bin licensed by your Majesty to passe into *Ireland*, doe most humbly beseech your Majesty to believe, that they shall always with thankfulness and joy receive from your Majestie any satisfactory Answer to their just requests: And, as they hope, they shall find in your Majesty a readinesse to rectifie those things, which have bin done to their prejudice, so will they be carefull to remove all apprehensions of their Actions or Speeches, which may seem to cast any dishonour upon your Majesty.

For your Majesties better satisfaction concerning the positive affirmation, that many of the chief Commanders now in the head of the Rebels (after the Ports were stopped by order of both Houses) have bin suffered to passe by your Majesties immediate Warrant. May it please your Majesty to consider that herein they have affirmed nothing but what they had cause to believe was true, the grounds whereof they humbly present to your Majestie.

The first ground is this, that both Houses of Parliament, (having upon your Majesties commendation taken into their care the suppression of the Rebellion of *Ireland*) had reason to be especially watchfull over the Ports, because the Rebels abounding in numbers of men for the most part ignorant of the use of their Armes could by no means become dangerous or formidable to this Kingdome, but by the acceffe of Souldiers and Commanders, wherewith they were like to be furnished either out of *France* or *Flanders*, from both which places the

passage into *Ireland* is speedy and easie through this Kingdome, and thereof they could not choose but be very sensible of whatsoever gave liberty or opportunity to such a passage, as of a very hurtfull and dangerous grievance for prevention whereof they did upon the seventh of *November* agree upon an Order, and restrain all passage into *Ireland*, but upon due and strict examination by such persons as were trusted to make those Licences.

A second ground, that the other Licence granted to the Lord *Delvin*, and then acknowledged by your Majesties Answer, were such (both in regard of the persons to whom they were granted, and the extent of the words in which they were granted,) as were apt to produce such an effect as is mentioned in that positive Affirmation, that is, to open a way for the passage of Papists and other dangerous persons to joyn with the Rebels, and to be Heads and Commanders amongst them, which is thus proved.

The Warrant granted to Colonell *Butler*, since the order of restraint by both Houses of Parliament did extend to all Ports of *England* and *Scotland*) and did give free passage to himself and to his Company, without any qualification of persons, or Limitation of Number, and this Colonell was himselfe a Papist, had a Brother in Rebellion, and Generall of the Rebels in *Munster*, was expected, and very much desired by those Rebels, who for a long time kept a Regiment to be commanded by him, as we have bin credibly informed.

The second was granted to a Son of the Lord *Nettersfield*, which Lord had four sons in *England* since the Rebellion, one of which is settled in *England*, three others intended to passe into *Ireland*, and were all dangerous persons being Papists, bred in the Wars, in the service of the King of *Spain*, and one of them lately become a Jesuit.

The third to the Lord *Delvin*, extends to himselfe, and foure persons more unnamed, that one of those who should have past with him is taken to be a Jesuit, and another who calls himself *Ploucket*, seems to be a man of some breeding and quality, and like to have bin serviceable to the Rebels, and to have done mischief, if he had gone over.

The fourth to Sir *George Hamilton*, and three more unnamed; This Gentleman is likewise a profest Papist; and may be doubted to be of the party of the Rebels, one of that Name being mentioned in the instructions of *Sempill* the Jesuit, amongst divers other dangerous persons of the Popish party in *Scotland* and *Ireland*, which instructions were found in a ship stayed in *Cornwall*, which was going into *Ireland* with divers Jesuits, Souldiers, and others for the encouragement of the Rebels.

A third ground is this, That by vertue and authority of these Licences, severall persons have passed over, which are now in Actuell Rebellion, and
joyned

joyned with the Rebels, and some have command amongst them which is thus proved.

One Captaine *Sutton*, did by vertue and authority of your Majesties Licence imbarque at *Whitehaven*, in the Company of Colonell *Butler*, and was driven backe by foule weather; Whereupon the Colonell stayed, and went to *Chester*, but that Captaine re-imbarqued himselfe in the same Bottom, and passed into *Ireland*, where he went into Rebellion with the Lord *Dunsany*, and hath since obtained the place of a Colonel amongst the Rebels, as wee are very credibly informed.

Two of the Sonnes of the Lord *Nettersfield*, one a Jesuite, and the other a Souldier, passed into *Ireland* in *December* last, both of them by vertue of your Majesties Warrant, as wee have cause to believe, for that they went both together in one Ship, and the Licence acknowledged to be granted by your Warrant must needs be granted to one of them, seeing the other Brother, who lately endeavoured to passe over, did produce no Licence, and upon his Examination doth absolutely deny that he had any.

A fourth ground (which we humbly offer to your Majesty) is this, That your Majesty cannot be assured that no other did passe upon your Licence, as your Majestie doth conceive and are pleased to expresse in your Answer, and that wee had great cause to believe that divers other had passed over by your Warrant, besides the persons afore-mentioned, and that for these reasons;

1 Because we received such a generall information, that divers now in the head of the Rebels were passed by your Majesties Licence, which being true in part, and easie to be effected, in regard of the Nature and extent of the Warrants, and probable to be attempted, in regard of the subtilty and vigilancy of that party, to make use of all advantages, seemed to deserve credit, which wee should not have given to it, if it had been a naked information without such circumstances.

2 Because we had concurring Advertisements from *Ireland* and *Chester*, that divers Priests, Jesuits, and popish Commanders had passed over, and were landed there, and particularly some of Colonell *Butlers* Company, and that the Officers of the Ports had kept no Entry of the names of these persons or of the Warrants by which they were transported.

These we hope will be sufficient to perswade your Majestie to believe, that as we had some cause to give credit to the said Informations, so wee had no intention to make any ill use of them to your Majesties dishonour, but did impute the blame to your Ministers, who might have bin more carefull to have informed your Majestie of the Quality of those persons named in your Licences, and so to have limited them, that they might not have extended to others, as they did, how many and dangerous soever.

And they pray your Majestie to rest assured, that they shall always be tender of your Honour and reputation with your good Subjects, and for this cause have made this true Declaration of the full state of this matter, that they may think no otherwise of it then the truth, and in all things shall labour to establish a good understanding and confidence, betwixt your Majestie, and your people, which they heartily desire, and pray for, as the chiefeft means of preserving the honour, safety, & prosperitie of your Maiestie, and your Kingdom.

His Majesties Answer to a Message sent to Him by the House of Commons, concerning Licences granted by Him to persons to goe into Ireland.

His Majestie hath scene and considered the Message presented to Him by the Lord *Compton* and Master *Baynton* the nineteenth of *March 1641.* at *York*, Touching such persons as have bin Licensed by His Majestie to passe into *Ireland*.

Though He will not insist upon what little Reason they had to suspect that some ill-affected persons had passed into *Ireland*, under colour of His Majesties Licence (Inferences slender Proofs to ground belief upon) yet Hee must needs avow, That for any thing that is yet declared, He cannot see any ground why *M. Pym* should so boldly affirme before both Houses of Parliament, *That since the stop upon the Ports by both Houses against all Irish Papists, many of the Commanders now in the head of the Rebels, have bin suffered to passe by his Majesties immediate Warrant*; For as yet there is not any particular person named that is now so much as in Rebellion (much lesse in the head of the Rebels) to whom His Majesty hath given Licence.

And therefore according to His Majesties Reply upon that Subject, His Majesty expects, That His House of Commons publish such a Declaration, whereby this mistaking may be cleared, That so all the World may see His Majesties Caution in giving of Passes; and likewise, That His Ministers have not abused His Majesties Trust by any surreptitious Warrants.

And lastly, His Majestie expects, That hence-forth there be more Wariness used, before such publike Aspersions be laid, unlessse the Grounds be beforehand better warranted by sufficient Proofs.

By the King.

A Proclamation for putting the Laws against Popish Recusants in due execution.

The Kings most Excellent Maiestie, having been formerly moved by His Parliament, for putting the Laws in execution against Papists, whereto He hath from time to time still given His gracious Answer, expressing His willingnesse thereunto: But now finding that no such proceedings against them have been yet had as might answer His Maiesties expectation: His Maiestie therefore, out of His Princely and pious care, as well for maintaining the true Protestant Religion established in this Kingdom as for suppressing by lawfull wayes, all increase and growth of Popery; hath thought fit to publish His Royall Pleasure therein: Wherefore His Maiestie doth hereby straitly charge and command all and every His Judges and Justices of Assize, Sheriffs, Justices of Peace and other His Officers and Ministers whosoever, whom it doth any way concern, That they, and every of them according to the duties of their severall Offices and places, do forthwith, and without further delay, put in due and effectuell execution the Laws and Statutes of this Realm, provided and made against Popish Recusants, and that without favour or connivence; As they tender His Maiesties just and Royall Commands, the good of this Church and Kingdom, and will answer for neglect of their duties herein.

Given at His Majesties Court at Stanford the sixteenth day of March, in the seventeenth yeer of His Reign.

God save the King.

Die Mercurii 16. Martii. 1641.

LORDS HOUSE.

VV Hereas the Lords in the upper House of Parliament, doe find that there are many Petitions concerning private persons depending now before their Lordships, and conceive that many more may bee brought into that House, if timely advertisement be not given to the contrary, which may occasion the Repaire and Attendance of divers of His Majesties loving Subjects upon their Lordships; who cannot give a dispatch to private businesses, by reason of the many publicke and great Affaires that now lie before them,

them, concerning the Safetie and Weale of His Majesties Kingdomes.

It is therefore thought fit, and so Ordered by the Lords in Parliament, That all private busineses shall be hereby deferred and put off, untill the first day of the next Terme, being the 27 of Aprill next: Whereof this House doth hereby give notice to all his Majesties loving people, to prevent the charge and trouble, which otherwise the Petitioners might be put unto in repairing unto this house at this time.

10. Browne Cler. Parliament.

By the King.

A Proclamation concerning the true payment of Tonnage and Poundage.

WHERTAS in and by the last ACT of this present PARLIAMENT concerning Tonnage and Poundage, (intituled, A Subsidie granted to the King of Tonnage, Poundage, and other sums of Money payable upon Merchandize Exported and Imported) it is provided, That no penaltie or forfeiture contained in the said last Act, or in an Act made in the first year of the Reign of His Majesties late Royall Father King JAMES, (intituled, A Subsidie granted to the King of Tonnage, Poundage, Woolls, &c) do or shal enſue to any person, or persons, unlesse they refuse to compound for any Merchandize or Goods Imported or Exported after notice given of the said last Act, penaltie, and forfeiture, by Proclamation, where the said Goods are, or ought to be entred.

His most Excellent Majestie, lest any His loving Subjects or others (under pretence of ignorance) should forbear to pay the said Tonnage, Poundage, and other sums of money payable upon Merchandize or Goods either Exported or Imported contrary to the tenour of the said last Act and for the more speedie publishing thereof. Hath thought fit (by advice of His Parliament) hereby to declare His Royall Will and pleasure to be, That all His loving Subjects, and others whom it shall or may concern, do take notice of the said last Act: And that they, and every of them, doe accordingly pay the said Tonnage, Poundage, and other summes of money, thereby laid or imposed upon Merchandizes, or Goods, either Imported, or Exported, under the Pains and Penalties in the said last Act, and in the said Act made in the first year of the reign of His Majesties said late Father, or either of them provided, and expressed; And to be further punished according

ding to the Law for their Contempt of his Majesties Royall Commandment herein.

And therefore his Majestie doth hereby straightly charge and command, as well all and every his Customers, Comptrollers, Collectors Searchers, Waiters, and others the Officers and Ministers, in all and every his Majesties Ports and Havens and the Members thereof within his Kingdom of England, and Dominion of Wales, as all Justices of Peace, Mayors, Sheriffs, Bailiffs, Constables, Headboroughs, and other his Majesties Officers, and Ministers, to whom it shall or may appertain, that they and every of them, in their severall Offices and Places respectively, do take care that all, and every the Premises be fully executed and performed according to his Majesties Royall Will and Pleasure herein declared, as they will answer the contrary at their uttermost perils.

Given at Our Court at York the four and twentieth day of March, in the seventeenth year of Our Reign.

God save the King.

Die Iovis 24, Martii. 1641.

WHEREAS the Bill of Tonnage and Poundage is this day expired, and a new Bill past both Houses for the continuance of those payments, untill the third day of *May* which cannot as yet receive the Royall assent, in regard of the remoteness of His Majesties Person from the Parliament. Which moneys to be collected by that bill, are to be employed for the necessarie guarding of the Seas, and defence of the common-wealth: It is therefore ordered by the Commons now assembled in Parliament, that the severall Officers belonging to the Custome-house both in the Port in *London* and the out-Ports, doe not permit any Merchant or other, to lade or unlade any Goods or Merchandizes, before such persons doe first make due entries thereof in the Custome-house: And it is also declared by the said Commons, That such Officers upon the respective entry made by any Merchant, as afore-said, shall intimate to such Merchant, that it is the advise of the Commons for the better ease of the said Merchants; And in regard the respective duties will relate and become due, as from this day; That the said Merchants upon entry of their Goods, as usually they did, when a law was in force to that purpose, would depose so much money as the severall Customes will amount unto, in the hands of such Officers, to be by them accompted to his Majestie, as the respective Customes due by the said Bill, when the said Bill shall have the Royall assent;

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Or

Or otherwise His Majestie refusing the passing thereof, the said moneys to be restored upon demand unto the severall Merchants respectively.

Ordered that the Collectors of the Customs doe forthwith disperse Copies of these Orders in all the out-Ports.

H. Elsyng, Cler, Parliam. D. Com.

An Order from the House of Commons unto the Sheriffs of each County respectively, for their true Collection of the Foure Subsidies, and the other two Subsidies to be payd accordingly.

Die Vener. 15 Martii. 1641.

It is this day Ordered upon the question by the House of Commons, **T**hat the knights and Burgeses of every County, be enjoined to write unto the Sheriffs of their respective Counties, That they warne all Collectors of the foure Subsidies, who have not yet perfected Accompts that they come perfect their Accompts by the beginning of the next Term, And that all other Collectors of the two last Subsidies make their Accompts also, by the latter end of the next Terme, As they will Answer their neglect therein to this House.

It is this day Ordered by the Commons now assembled in Parliament, that this Order be forthwith published in Print.

H. Elsyng Cler. Parl. D. Com.

To the Kings most Excellent MAJESTIE,
The humble Petition of the Lords and Commons assembled in Parliament.

May it please your Majestie,

Your Majesties most loyall Subjects, the Lords and Commons in Parliament, cannot conceive that the Declaration which your Majestie received from us at *New-markets*, was such as did deserve that Censure Your Majestie was pleased to lay upon us in that Speech which your Majestie made to our Committees there, and sent in writing to both Houses; Our addresse therein

therein being accompanied with Plainnesse, humility & faithfulness, we thought more proper for the removing the distraction of the Kingdome, then if wee had then proceeded according to your Majesties Message of the 20 of *January*, by which your Majestie was pleased to desire, That we would declare what we intended to do for Your Majestie, and what we expected to be done for our selves, in both which we have bin very much hindred by your Majesties deniall to secure us and the whole Kingdome, by disposing the *Militia* as we had divers times most humbly Petitioned, and yet we have not bin altogether negligent of either, having lately made good proceedings in preparing a Booke of Rates to be passed in a Bill of Tonnage & Poundage; and likewise the most inateriall Heads of those humble desires which we intended to make to Your Majestie for the good and contentment of your Majestie and your People, but none of these could bee perfected before the Kingdome be put into safetie, by settling the *Militia*: And untill Your Majestie shall be pleased to concurre with Your Parliament in these necessary things, we hold it impossible for you to give the world, or Your People such satisfaction concerning the Feares and Jealousies which we have expressed, as we hope Your Majestie hath already received touching that exception which You were pleased to take to Master *Pym's* Speech.

As for your Majesties Feares and doubts, the ground whereof is from Seditious Pamphlets and Sermons, We shall be as carefull to endeavour the removall as soon as we shall understand what Pamphlets and Sermons are by Your Majestie intended, as we have been to prevent all dangerous Tumults: And if any extraordinary concourse of people out of the Citie of *Westminster* had the face and shew of Tumult and danger in Your Majesties apprehension, it will appeare to be caused by Your Majesties deniall of such a guard to your Parliament as they might have cause to confide in; And by taking into *White-Hall* such a guard for Your selfe, as gave just cause of Jealousie to the Parliament, and of terrour and offence to Your People. Wee seek nothing but your Majesties Honour, and the peace and prosperity of Your Kingdome; And we are heartily sorry we have such plentifull matter of an Answer to that question, *Whether You had violated our Laws.*

We beseech Your Majestie to remember, that the Government of this Kingdome, as it was in a great part managed by Your Ministers before the beginning of this Parliament, consisted of many continued and multiplyed acts of violation of Laws, the wounds whereof were scarcely healed, when the extremity of all those violations was farre exceeded by the late strange and unheard of breach of our Lawes in the accusation of the Lord *Kymbolton*, and the five Members of the Commons-House, and in the proceedings thereupon, for which we have yet received no full satisfaction.

To Your Majesties next question *Whether You had denied any Bill for the ease*

and security of Your Subjects, We wish we could stop in the midst of our answer, That with much thankfulness we acknowledge that Your Majestie hath past many good Bills full of contentment, and advantage to Your People; But truth and necessitie inforceth us to adde this, That even in or about the time of passing those Bills, some designe or other hath beene on foot, which if it had taken effect, would not only have deprived us of the fruit of those Bills, but have reduced us to a worse condition of confusion then that wherein the Parliament foundus.

And if your Majestie had asked the third question intimated in that Speech, *What wee have done for Your Selfe*, our Answer would have been much more easie, That we have paid two Armies, wherewith the Kingdome was burdened last yeere; And have undergone the charge of the War in *Ireland* at this time; When through many other excessive Charges and Pressures, whereby Your Subjects have been exhausted, and the Stock of the Kingdome very much diminished: Which great mischiefs, and the charges thereupon ensuing, have been occasioned by the evill counsells so powerfull with Your Majestie, which have, and will cost this Kingdome more then two Millions: All which in Justice ought to have been borne by your Majestie.

As for that free and generall Pardon Your Majestie hath been pleased to offer, it can be no security to our Feares and Jealousies, for which Your Majestie seems to propound it, because they arise not from any guilt of our owne Actions, but from the evill Designs and Attempts of others.

To this our humble Answer to that Speech, we desire to adde an Information which we lately received from the Deputie Governour of the Merchant Adventurers at *Rotterdam* in *Holland*, That an unknown person appertaining to the Lord *Digby* did lately sollicite one *James Henley* a Mariner to goe to *Elfenor*, and to take charge of a Ship in the Fleet of the King of *Denmark* there prepared, which he should conduct to *Hull*: In which Fleet likewise he said a great Army was to be transported. And although we are not apt to give credit to Informations of this nature, yet we cannot altogether think it fit to be neglected, but that it may justly adde somewhat to the weight of our Feares and Jealousies, considering with what circumstances it is accompanied, with the Lord *Digbys* preceding Expressions in his letter to her Majestie, and Sir *Lewis Dives*; And Your Majesties succeeding course of withdrawing Your Selfe Northward from Your Parliament, in a manner very sutable, and correspondent to that evill Counsell.

Which we doubt will make much deeper impression in the generalitie of Your People; And therefore we most humbly advise and beseech Your Majesty for the procuring and setting the confidence of Your Parliament, and all Your Subjects, and for the other important reasons, concerning the recovery of

of *Ireland*, and securing this Kingdome which have been formerly presented to your Majestie, You will be graciously pleased (with all convenient speed) to returne to these parts, and to close with the Counsell and desire of Your Parliament, where You shall find their dutifull affections, and endeavours ready to attend Your Majestie with such entertainment, as shall not onely give Your Majesty just cause of securitie in their faithfulnessse, but other manifold evidences of their earnest intentions and endeavours to advance Your Majesties Service, Honour, and contentment, and to establish it upon the sure foundation of the Peace and Prosperity of all Your Kingdomes.

His Majesties Answer to the Petition of both Houses of
PARLIAMENT,
 Presented to Him at *York* on Saturday the 26 of *March*, 1642
 by the Lord *Willoughby*, Lord *Dungarvan*,
 and Sir *Anthony Irby*.

IF you would have had the patience to have expected Our Answer to your last Declaration (which, considering the nature of it, hath not been long in coming) We beleve you would have saved your selves the labour of saying much of this Message. And We could wish that Our Priviledges on all parts were so Stated, that this way of Correspondencie might be preserved with that Freedome which hath been used of old: For we must tell you, that if you may aske any thing of Us by Message or Petition, and in what language (how un-usuall soever) you thinke fit, and We must neither deny the thing you aske, nor give reason why we cannot grant it, without being taxed of breaking your Priviledges, or being counselled by those who are enemies to the Peace of the Kingdome, and favourers of the Irish Rebellion (for We have seene your Printed Votes upon Our Message from *Huntington*) you will reduce all Our Answers hereafter into a very little room; In plain English, it is to take away the Freedome of Our Vote, which were We but a Subject, were high Injustice; but being your King, We leave all the world to judge what it is.

Is this the way to compose all misunderstandings? We thought We shewed you one by Our Message of the 20. of *January*. if you have a better or readier, We shall willingly hearken to it, for hitherto you have shewed Us none. But why the refusall to consent to your Order. (which you call a deniall of the *Militia*) should be any interruption to it, VVe cannot understand. For the *Militia* (which VVe alwayes thought necessary to be settled) VVe never denied the

thing (as we told you in Our Answer of the 28. of *January*, to the Petition of the House of Commons, for We accepted the persons, (except for Corporations) Wee onely denied the way. You aske it by way of Ordinance, and with such a preface as We can neither with Justice to Our Honour, or innocency consent to: You exclude Us for any Power in the disposition or execution of it, together with you, and for a time utterly unlimited. We tell you We would have the thing done; Allow the persons (with that exception;) Desire a Bill (the onely good old way of imposing on Our Subjects,) Wee are extremely unsatisfied what an Ordinance is, but well satisfied, that without Our Consent it is nothing, not binding: And it is evident by the long time spent in this Argument, the necessitie and danger was not so imminent, but a Bill might have well been prepared, which if it shall yet be done with that due regard to Us, and care of Our People, in the limitation of the power and other circumstances, We shall recede from nothing We formerly expressed in that Answer to your Order, otherwise we must declare to all the world, That we are not satisfied with, or shall ever allow Our Subjects to be bound by your printed Votes of the fifteenth or sixteenth of this moneth, or that under pretence of declaring what the Law of the Land is, you shall without Us make a new Law, which is plainly the case of the *Militia*: And what is this but to introduce an Arbitrary way of Government?

Concerning *Pym's* Speech, you will have found by what the Lord *Compton*, and Master *Baynton* brought from Us, in answer to that Message they brought to Us, that as yet We rest nothing satisfied in that particular.

As for the seditious Pamphlets and Sermons, We are both sorry and ashamed in so great a variety, and in which Our Rights, Honour and Authority, are so insolently slighted and vilified, and in which the Dignity and Freedom of Parliament is so much invaded and violated, it should be asked of Us to name any; the mentioning of the *Protestation protested*, the *Apprentices Protestation*, *To your Tents, O Israel*, or any other, would be too great an excuse for the rest; If you thinke them not worth your inquirie, We have done. But We thinke it most strange to be told, That Our deniall of a Guard (which We yet never denied, but granted in another manner, and under a Command at that time most accustomed in the Kingdom) or the deniall of any thing else (which is in Our power legally to deny) which in Our understanding (of which God hath surely given Us some use) is not fit to be granted, should be any excuse for so dangerous concourse of people, which not onely in our apprehension, but (We beleieve) in the interpretation of Law it selfe, hath been alwayes held most tumultuous and seditious. And we most wonder, what, and whence come the instructions and Informations that those people have, who can so easily thinke themselves obliged by the Protestation to assemble in such a manner

manner, for the defence of Priviledges, which cannot be so cleerly knowne to any of them, and so negligently passe over the consideration, and defence of Our Rights so beneficiall and necessary for themselves, and scarce unknowne to any of them, which by their Oathes of Allegiance and Supremacy (and even by the same Protestation) they are at least equally obliged to defend. And what interruptions such kind of Assemblies may be to the freedom of future Parliaments (if not seasonably discountenanced and suppressed) We must advise you to consider, as likewise whether both Our powers may not by such means be usurped, by hands not trusted by the Constitution of this Kingdom. For Our Guard, Wee referre you to Our answer to your Declaration.

By that Question of Violating your Lawes; by which We endeavoured to expresse Our care and resolution to observe them; Wee did not expect you would have been invited to have looked back so many yeeres, for which you have had so ample Reparation; Neither looked We to be reproched with the Actions of Our Ministers (then against the Lawes) whilst We expresse so great a zeale for the present defence of them, it being Our Resolution, upon observation of the mischief which then grew by Arbitrary power (though made plausible to Us by the suggestions of necessitie and imminent danger, and take you heed ye fall not into the same error upon the same suggestions) hereafter to keepe the Rule Our selfe, and to Our power require the same from all others: But above all, We must be most sensible of what you cast upon Us for requitall of those good Bills you cannot denie. We have denied any such Designe, and as God Almighty must judge in that point between Us, who knows Our upright intentions at the passing those Lawes: So in the meane time We desie the Divell to prove that there was any designe (with Our knowledge or privitie) in or about the time of passing those Bills, that had it taken effect could have deprived Our Subjects of the fruit of them: And therefore We demand full Reparation in this point, that we may be cleared in the sight of all the World, and chiefly in the eyes of our loving Subjects, from so notorious and false an imputation as this is.

We are farre from denying what you have done, For we acknowledge the charge Our People have sustained in keeping the two Armies, and in relieving *Ireland*, of the which We are so sensible, that in regard of those great Burthens Our People have undergone, We have and doe patiently suffer those extream personall wants, as Our Predecessours have been seldome put to, rather then We would presse upon them: which We hope (in time) will be considered on your parts.

In Our offer of a Generall Pardon, Our intent was to compose and secure the generall condition of Our Subjects, conceiving that in these times of great
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Distractions, the good Lawes of the Land have not been enough observed; But it is a strange world when Princes profered Favours are counted Reproaches: yet if you like not this our offer VVe have done.

Concerning any discourses of Forraigne Forces, though VVe have given you a full Answer in Ours to your last Declaration, yet VVe must tell you, We have neither so ill an opinion of Our own merit, or the affections of Our good Subjects, as to think our Selfe in need of any Forraigne Force to preserve Us from Oppression (and We shall not need for any other purpose) but are confident (through Gods providence) not to want the good wishes and assistance of the Whole Kingdome, being resolved to build upon that sure Foundation, the Law of the Land. And We take it very ill that any generall Discourses between an unknown Person and a Mariner, or inferences upon Letters should be able to prevaile in matters so improbable in themselves, and scandalous to Us, for which We cannot but likewise aske Reparation, not onely for the vindicating of Our own Honour, but also thereby to settle the minds of Our Subjects, whose Feares and Jealousies would soon vanish, were they not fed and maintained by such false and malicious Rumours as these.

For our returne to Our Parliament, We have given you a full Answer in Ours to your Declaration, and you ought to looke on Us as not gone but driven (we say not by you, yet) from you. And if it be not so easie for you to make our residence in *London* so safe as we could desire, We are and will be contented that our Parliament be adjourned to such a place, where We may be fitly and safely with you. For though we are not pleased to be at this distance, yet ye are not to expect Our Presence, untill ye shall both secure Us concerning Our just apprehensions of Tumultuary insolencies, And likewise give Us satisfaction for those insupportable and insolent Scandals that are raised upon Us.

To conclude, As VVe have or shall not refuse any way agreeable to justice or Honour, which shall be offered to Us for the begetting a right understanding between Us; So We are Resolved, that no straights or necessities (to which We may be driven) shall ever compell Us to doe that, which the Reason and Understanding that God hath given Us and Our Honour and Interest, with which God hath trusted Us for the good of Our Posterity and Kingdomes, shall render unpleasant and grievous unto Us.

And We assure you that (how meanelly soever you are pleased to value the discharge of Our publicke dutie) Wee are so Conscious to Our selfe of having done Our part, since this Parliament, that in whatsoever condition VVee now stand, VVe are confident of the continued Protection from Almighty God, and the constant gratitude, obedience, and affection from Our People: And VVe shall trust God with all.

A Message from both Houses of Parliament, sent to the
Kings most excellent Majesty at York, the 28 of
March, 1642.

May it please your Majestie,

THe Lords and Commons in this present Parliament assembled, having found it necessary to provide and set to Sea a strong and powerfull Navy, for the defence of this Kingdom against forreigne Force, and for the security of Your other Dominions, the charge whereof is to be born by the Common-wealth: And taking notice of the indisposition of the Lord Admirall, which disables him at this time for commanding the Fleet in his own person, did thereupon recommend unto his Lordship the Earle of *Warwick* (a person of such Quality and Ability as in whom they might best confide) to supply his Lordships room for this employment. And understanding that Your Majesty hath since signified Your pleasure concerning that command, for Sir *John Pennington*; We do hold it our duty, to represent unto Your Majesty, the great danger and mischief the Common wealth is like to sustaine by such interruption. And therefore doe humbly beseech Your Majesty that the Noble person recommended by both Houses of Parliament for this service, may no longer be detained from it, out of any particular respect to any other person whatsoever.

To our right trusty and well beloved Counsellour,
Edward Lord Littleton, Keeper of our great
Seale of ENGLAND.

RIght trusty and well beloved Counsellour, we greet you well, we wonder both at the form and matter of that inclosed paper, ye sent us (in the name of both Houses of Parliament; in yours of the 28 of *March*) it being neither by way of Petition, declaration or letter; and for the matter we believe it is the first time that the Houses of Parliament have taken upon them the nomination, or recommendation of the chiefe Sea-commander; but it adds to the wonder, that Sir *John Pennington* being already appointed by us for that service, upon the Recommendation of our Admirall (which is so well known, that none can be ignorant of it) and no fault so much as alleged against him, another should be recommended to us; Therefore our Resolution
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upon this point is. that we will not alter him, whom we have already appointed to command this yeers Fleet, whose every way sufficiency is so universally knowne, the which we are confident our Admirall (if there shall be occasion) will make most evident, (against whose Testimony wee suppose our Parliament will not except) And though there were yet none appointed, or the said Sir *John* (through some accident) not able to performe the service, yet the men of that Profession are so well known to us (besides many other reasons) that (our Admirall excepted because of his place) recommendations of that kind would not be acceptable to us.

Given at our Court at York, the last of March, 1642.

To the Kings most Excellent Majesty.

The humble Petition of the Gentry, Ministers and Freeholders of the County of *York*, now assembled at the Assizes there holden.

Most humbly sheweth,

THat, although the piercing anguish of our souls proceeding from the general distractions of this Kingdom, be eased by the comfort of Your Majesties Royall Presence and gracious Confidence in the Affections of this County, which hath filled our hearts with hopes, and our tongues with joy, yet the low-feeling of the passionate sorrows, and heart-breaking apprehensions which overwhelmes the other parts of this afflicted Kingdome, doe inforce us (after the humble tender of our Lives and Fortunes, for the safety and assurance of Your Majesties Royall Person, Crown, Honour and Estate, just Prerogative and Sovereignty in any capacity wherein we may serve Your Majesty according to the Laws) to follow that Sacrifice of bounden duty, with our earnest Prayers and Petitions, which shall not cry in your Princely Eares for helpe to almost-ruinated *Ireland*, nor implore your Majesties Concurrence for the propagation of the Protestant Religion, and suppression of Popery, since Your Majesties gracious Declaration of your Selfe, in those particulars, renders it an unpardonable crime to desire further Assurance, or addition to your Majesties own words, Sacred before God and Man; But emboldned by your Royall resolution declared, to take away, not onely the just Feares, but also the Jealousies of your loyall Subjects, and inforced by that infallible Oracle of Truth, That a Kingdome divided cannot stand: Wee, from the centre of every one of our hearts, most earnestly supplicate, That your Majesty (being most interested in

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the flourishing State and Union of your Dominions, and by long experience in Government, best acquainted with prevention of Dangers, and remedy of Evils) will be gratioously pleased to declare such fit meanes and Expedients as may take away all Distances and Mis-understandings betwixt Your Majesty and your great Councell, to whom we will also addresse our selves for such endeavours on their parts, as may beget in your Majesty a confidence in their Counsels, and that blessed Union so necessary to this perplexed Kingdome, and most desired by us, and all your Majesties loving and faithfull Subjects.

And your Petitioners shall ever pray for your Majesty's long and prosperous Reigne, &c.

5 Aprilis, 1642.

His Majesties Speech to the Sheriff, Gentry, Ministry, and Freeholders of the County of York, when they presented to Him their Petition.

Master Sheriffe, and Gentlemen,

I Believe you expect not a present and particular answer to your Petition, because it is new to me : Onely in generall I must tell you, That I see by it, that I am not deceived in the Confidence I have in the Affections of this County to my Person and State; and I assure you that I will not deceive your Confidence, which at this time you have declared in your Petition to have in me : And I am glad to see that it is not upon mistaken grounds, as other Petitions have bin to me since I came to this place; Concerning which, let mee observe unto you, That my Answers were to cleer those mistakings; for I never did go about to punish or discourage them from petitioning to me in an humble way, though the Subject did not agree with my sense ; Albeit within the memory of man, people have bin discouraged, and threatned to be punished for Petitions.

I observe that your Petition is so modest, that it doth not mention any particular for your owne good; which indeed I expected, as knowing that in some particulars you have great reason to do; and therefore, that you may not fare the worse for your modesty, I will put you in minde of three particulars, which I conceive to be for the good of this Country.

The first is concerning your trained Bands , to reduce them to a lesser number, for which, I confesse to stand engaged by promise to you, which I had performed long since, if I had bin put in mind of it : And now I tell you, shew me but the way, and (when you shall thinke fit) I shall instantly reduce them to that number, which I promised you two yeers ago.

The second is, That which is owing to this County for Billet-money; The truth is, That for the present I cannot repay it; Only I will say this, That if all the water had gone to the right Mill, (upon my word) you had bin long agoe satisfied in this particular. And so I leave to your discretions which way you will advise, and assist mee to comply with the engagements to you in this point.

The third is, That for which I was petitioned as I came up the last yeer, both by the Lord Major and Aldermen of this City, and likewise by divers others of this County, as I went South-ward; And that is, concerning the Court of *York*. And first let me tell you, That as yet I know no legall dissolution of it, for hitherto formally there is nothing come to me, either directly or indirectly, for the taking of it away: therefore I may say, it is rather shaken in pieces, then dissolved. Now my desire is, in compliance to what I answered the last yeer unto the severall Petitions delivered to me upon this subject. That you would consult and agree among your selves in what manner you would have the Court established most to your own contentments, and to the good of all these Northern parts, in such a legall way, as that it may not justly be excepted against, and I assure you, in the word of an honest Man, that you shall not blame me, if you have not full satisfaction in it.

Within a day or two ye shall have a particular Answer to your Petition, which shall be such an one as I am confident will give you good satisfaction, and put you into such a way, as, I hope, may produce good effects to the good of all this Kingdom.

His Majesties Answer to the aforesaid Petition of the Gentry, Ministers and Freeholders, of the County of *York*.

His Majestie, according to His promise made to you at the delivery of this Petition, hath commanded me to subscribe this His Answer.

IN the first place, He is glad to see, That what you say concerning the relief of his distressed Subjects in *Ireland*, and the Propagation of the true Religion amongst us, against all Superstition of Popery, is onely to shew your confidence in his Princely Word; wherein hee again hath commanded me to assure you, That he will neither deceive your trust, nor wrong himselfe so much, as not to be very punctuall in performance of the Engagements he hath already made concerning those particulars, which besides the performance of his Word (which hee holds most deer unto him) his own inclinations naturally induce him unto..

Now concerning the Prayer of your Petition, his Majesty doth gratioſly interpret, That your deſiring him to declare ſuch fit meanes and expedients as may take away all Diſtance and Miſunderſtandings betwixt his Majesty and his great Councell, is no otherwiſe then to have the more Authentique ground, and the better direction which way to carry your ſelves in your Addreſſes to the Parliament for that effect. And therefore his Majesty aſſures you, That not onely the beſt, but (as he conceives) the ſole way for this good Underſtanding between his Majesty and his Parliament (which he aſſures you that hee no leſſe deſires then your ſelves) is, That the Parliament will take his Majesties Meſſage of the twentieth of *January* laſt into conſideration ſpeedily, ſeriously and effectually; and that the *Militia* of this Kingdome may be ſetled by Act of Parliament, according to his Majesties explanation of his Answer concerning the *Militia*, which he made in the Answer he returned to both Houſes, upon the Petition preſented to him the 26 of *March* laſt. And therefore his Majesty deſires you, to take thoſe Answers, and that Meſſage into your ſerious conſideration, and thereupon to proceed (according to the intimation in your Petition) in your Addreſſes to the Parliament, as you ſhall judge fitteſt for the good of this Kingdom, and the expreſſions of your Duty and Affection to his Majesties Perſon and State.

At the Court at York, 7 Aprilis. 1642. Signed by Maſter Secretary Nicholas.
FINIS.

His Majesties Meſſage ſent to the Parliament the eighth of *Aprill*, 1642. Concerning His Reſolution to go into *Ireland*, for ſuppreſſing the Rebels there.

HIS Majesty being grieved at the very ſoule, for the Calamities of his good Subjects of *Ireland*, and being moſt tenderly ſenſible of the falſe and ſcandalous Reports diſperſed amongſt the People, concerning the Rebellion there, which not onely wounds his Majesty in Honour, but like wiſe greatly retards the reducing of that unhappy Kingdom, and multiplies the Diſtractions at home, by weakning the mutuall confidence betwixt him and his People: Out of his pious Zeale to the Honour of Almighty God, in eſta- bliſhing the true Proteſtant Profeſſion in that Kingdom, and his Princely care for the good of all his Dominions, Hath firmly reſolved with all convenient ſpeed to goe into *Ireland*, to chaſtiſe thoſe wicked and deteſtable Rebels (odious to God and all good men) thereby ſo to ſettle the Peace of that Kingdome, and the Security of this, that the very name of Feares and Jealouſies may be no more heard of amongſt us.

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As his Majesty doubts not, but that his Parliament will cheerfully give all possible assistance to this good Work; so hee requires them and all his loving Subjects to believe, That he shall upon those Considerations as earnestly pursue this Designe (not declining any hazard of his person, in performing that Duty which he oweth to the defence of Gods true Religion, and his distressed Subjects) as for these, and onely these Ends he undertakes it : to the sincerity of which Profession he calls God to witnesse, with this further assurance, That His Majesty will never consent (upon whatsoever pretence) to a Toleration of the Popish Profession there, or the Abolition of the Laws now in force against Popish Recusants in that Kingdome.

His Majesty hath further thought fit to advertise his Parliament, That towards this Work hee intends to raise forthwith by his Commissions, in the Counties neer *Westchester*, a Guard for his owne Person (when hee shall come into *Ireland*) consisting of two thousand Foot, and two hundred Horse, which shall be armed at *Westchester*, from his Magazine at *Hull*: at which time all the Officers and Souldiers shall take the Oathes of Supremacy, and Allegiance: The charge of raising and paying whereof his Majesty desires his Parliament to adde to their former Undertakings for that War, which his Majesty will not onely well except; But if their Pay be found too great a Burthen to his good Subjects, his Majesty will be willing (by the Advice of his Parliament) to sell, or pawn any of his Parks, Lands, or Houses towards the supplies of the Service of *Ireland*: With the Addition of these Leavies to the former of English and Scots agreed upon in Parliament, hee hopes so to appeare in this Action, that (by the assistance of Almighty God) in a short time that Kingdome may be wholly reduced and restored to Peace, and some measure of Happiness, whereby he may cheerfully return, to be welcomed home with the Affections and Blessings of all his good English People.

Toward this good Worke, as his Majesty hath lately made dispatches unto *Scotland*, to quicken the Leavies there for *Visiter*; So hee heartily wishes that his Parliament here would give all possible Expedition to those which they have resolved for *Munster* and *Conaught*; and hopes the encouragement which the Adventurers (of whose interest his Majesty will be alwayes very carefull) will hereby receive (as likewise by the lately signing of a Commission for the Affairs of *Ireland*, to such persons as were recommended to him by both Houses of Parliament) will raise full summes of money for the doing thereof.

His Majesty hath bin likewise pleased (out of his earnest desire to remove all occasions, which doe unhappily multiply Mis-understandings betweene him and his Parliament) to prepare a Bill to be offered to them by his Attourney, concerning the *Militia*, whereby hee hopes the Peace and Safety of this King-

Kingdome may be fully secured, to the generall satisfaction of all men, without violation of his Majesties just Rights, or prejudice to the Liberty of the Subject, If this shall be thankfully received; He is glad of it. If refused; Hee calls God, and all the World to judge, on whose part the default is. One thing his Majesty requires, (if this Bill be approved of) That if any Corporation shall make their lawfull Rights appeare, they may be reserved to them.

Before his Majesty shall part from *England*, he will take all due care to entrust such persons with such Authority in his absence, as he shall find to be requisite for the Peace and Safety of this Kingdome, and the happy Progresse of this Parliament.

F I N I S.

Die Sabbati 9 Aprilis. 1642.

THe Lords and Commons do declare, That they intend a due and necessary Reformation of the Government and Liturgy of the Church, and to take away nothing in the one or the other, but what shall be evill, and justly offensive, or at the least unnecessary and burdensome: And for the better effecting thereof, speedily to have Consultation with Godly and Learned Divines. And because this will never of it selfe attain the end sought therein, they will therefore use their utmost endeavours to establish Learned and Preaching Ministers, with a good and sufficient maintenance throughout the whole Kingdome, wherein many dark Corners are miserably destitute of the meanes of Salvation, and many poore Ministers want necessary provision.

Io. Brown Cleric. Parliament. H. Elsyng Cler. Parl. Dom. Cons.

Ordere*d by the Lords in Parliament, That this Declaration of both Houses touching the Government and Liturgie of the Church shall be forthwith printed, and published by the Sherriffs in their severall Counties in all the Market Towns, within the Kingdome of England and Dominion of Wales.*

Iohn Brown Cler. Parl.

The Names of such Members of the Commons House of Parliament, as have already subscribed in pursuance of the Act of Parliament, for the speedy reducing of the Rebels, and the future peace and safety of this Kingdom: Together with the sums they have severally under-written, viz.

M After *Walter Long*, 1200 pounds. Sir *Robert Pye*, 1000. 8 Martii 1641. Master *Samuel Vassall*, 1200. Sir *Samuel Rolls* of Devon, 1000. *William Lord Munson*, 2400. Sir *John Harrison*, 1200. 19 Martii, Sir *William Breton*, 1000. 21 Martii, Sir *Edward Ashcough*, 600. Master *John* and Master *Edward Ash*, 1200. 24 Martii, Sir *Gilbert Pickering*, 600. 25 Martii, 1642. Sir *John Clotworthy* in money, 500. Sir *John Clotworthy* for his entertainment as Colonell in the Irish Wars, 500. Master *Henry Martin*, 1200. 26 Martii, Master *Arthur Goodwin*, 1800. Sir *Arthur Hasterigge* of Leicestershire, 1200. Master *Robert Reynolds*, 1200. Sir *Robert Parkhurst*, 1000. Sir *Thomas Dacres*, 600. Sir *John Potts*, 600. Sir *Arthur Ingram*, 1000. Doctor *Thomas Eden*, 600. Master *Oliver Cromwell*, 500. Master *Nathaniell Fines*, 600. Master *John Pym*, 600. Sir *Walter Earle*, 600. Master *Cornelius Holland*, 600. Sir *John Northcot*, 450. Master *Roger Matthew*, 300. Sir *Nathaniel Bernardston*, 600. Sir *William Mafham*, 600. Sir *Martin Lomley*, for *Martin Lomley* Esquire his Son 1200. Master *Thomas Hoyle* of York, 600. Master *Anthony Bindingfeild* and Master *William Cage*, 700. Sir *William Allenson* of York, 600. Master *William Hevengham*, 600. Master *Herbert Morley*, 600. Sir *William Morley*, 1200. Sir *John Culpepper*, 600. Sir *Edward Partrich*, 600. *Richard Shuttleworth* Esquire, 600. Master *John More*, and Master *William Thomas*, 600. Master *John Lisle*, 600. Master *John Blackstone*, 600. Sir *Gilbert Gerrard*, 2000. Master *Bulstrode Whitlock*, 600. Sir *Edmond Momford*, and Master *Richard Harmon*, 600. Master *John Trenchard*, 600. Master *John Gurdan*, 1000. Master *John Barker*, 1000. Master *William Harrison*, 600. 29 Martii, Master *John Wilde* Serjeant at Law, and Master *Thomas Lane*, 1000. *Nathaniel Hallows* of Darby, for himselfe and others. 1400. *John Franklin*, 600. Master *George Buller*, of the County of Cornwall, 600. Sir *Henry Mildmay*, 600. 1 April. Master *Oliver Saint John*, 600. Sir *John Wray*, 600. Sir *Thomas Barvington*, 1200. Master *Robert Goodwyn*, and Master *John Goodwyn*, 600. 2 April, Master *Denzil Hollis*, 1000. Master *John Crew*, 600. Sir *John Peyton*, 600. 4 April,

4 April, Sir William Plafors, 600, Sir William Strickland, 600 Sir Thomas Savine, 1000. Alexander and Squire Bence, 600, Master John Rolles of Devon 450. Master John Hampden, 1000. Master William Ieffon, 300. Sir Edward Baynton, 600. Thomas Lord Wenman, and Master Richard Winwood, 1200. 5 April. Sir William Drake, 600. Master William Spurstow, 600. Sir John Evelyn of Godstone in the Countie of Surrey, for himself and others, 1500. 7 April. Master Miles Corbet, 200 pounds 9 April.

A speciall Order of the House of Commons, concerning the free offer of the County of Buckingham.

Die Sabbati, 9 April 1642.

WHereas the Gentlemen of the County of Buckingham have offered unto this House freely, to lend six thousand pounds upon the Act of Contribution for the affairs of Ireland, and to pay in the same before the first day of May next ensuing; This House doth take in very good part that offer, and accept the same, and doth hereby Order, that the said six thousand pounds shall be repayed out of the first moneys that shall be rayfed in that County upon the Bill of foure hundred thousand pounds, and Master Hampden, Master Goodwyn, Master Winwood, and Master Whitlocke, are appointed to returne thanks to the County of Buckingham from this House for their kind offer and acceptable service.

And it is further Ordered and declared by this House, that if any other County, or persons shall do the like, the same will be taken as a very good service to the Common-wealth, and such as will be well accepted by this House, and the moneys which they shall lend, shall be repayed unto them with interest, if they desire it, out of the moneys that shall be raised in those Counties, where such persons inhabit, out of the Bill of foure hundred thousand pounds.

And it is further ordered, that this Order shall be forth with Printed.

H. Elsing Cler. Parl. Com.

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The humble Petition of the Lords and Commons to the King, for leave to remove the Magazine at *Hull* to the Tower of *London* :

And also to take off the Reprieve of the six condemned Priests now in *New-gate*.

Most Gracious Sovereigne,

YOur most dutifull and loyall Subjects, the Lords and Commons in Parliament assembled, finding the stores of Armes and Ammunition in the Tower of *London* much diminished ; And that the necessity of supplies for Your Majesties Kingdome of *Ireland* (for which they have bin issued from thence) daily increaseth : And that the occasion for which the Magazine was placed at *Hull* is now taken away ; And considering it will be kept here with less charge and more safetie, and transported hence with much more convenience for the service of the Kingdom of *Ireland*.

They therefore humbly pray, that Your Majesty will be graciously pleased to give leave that the said Arms, Cannon and ammunition, now in Magazine at *Hull*, may be removed to the Tower of *London*, according as shall be directed by both Your Houses of Parliament.

And whereas six Priests now in *New-gate* are condemned to die, and by Your Majestie have bin Reprieved ;

They humbly pray Your Majesty to be pleased that the said Reprieve may be taken off, and the Priests executed according to Law.

His Majesties Answer to the fore-going Petition of the Lords and Commons in Parliament.

VVE rather expected (and have done so long) that you should have given Us an account why a Garrison hath been placed in Our Towne of *Hull* without Our consent, and Souldiers Billeted there against Law, and expresse words of the Petition of Right, Then to be moved (for the avoiding of a needlesse charge you have put on your selves) to give our consent for the removall of Our Magazine and Munition (Our owne proper Goods) upon such generall Reasons, as indeed give no satisfaction to Our judgement. And since ye have made the businesse of *Hull* your Argument, VVe would

would gladly be informed, why Our own inclination (on the generall rumour of the designes of Papiſts in the Northern parts) was not not thought ſufficient ground for Us to put a Perſon of Honour, Fortune and unblemished Reputation, into a Town & Fort of Our own, where Our own Magazine lay; And yet the ſame rumour be VVarrant enough for you, to commit the ſame Towne and Fort (without our conſent) to the hands of Sir *John Hoſham*, with a Power unagreeable to the Law of the Land, or the Liberty of the Subject: and yet of this in point of Right or Priviledge, (for ſure VVe are not without Priviledge too) VVe have not all this while complained; And being confident that that place (whatſoever diſcourſe there is of publike or private Inſtructions to the contrary) ſhall be ſpeedily given up, if VVe ſhall require it; VVe ſhall be contented to diſpoſe Our Munition there (as we have done in other places) for the publick eaſe and benefit, as upon particular advice VVe ſhall finde convenient: Though VVe cannot think it fit, or conſent that the whole Magazine be removed together. But when you ſhall agree upon ſuch Proportions as ſhall be held neceſſary for any particular ſervice, VVe ſhall ſigne ſuch VVarrants as ſhall be agreeable to VViſdome and Reason. And if any of them be deſigned for *Viſter* or *Leinſter*, you know well the conveyance will be more eaſie and convenient from the place they now are in. Yet we muſt tell you, That if the Fears are ſo great from the Papiſts at home, or of Forraigne Force, (as is pretended) it ſeems ſtrange that you make not provision of Armes and Munition for defence of this Kingdom, rather then ſeek to carry any more from hence, without ſome courſe taken for ſupply, eſpecially if you remember your engagement to Our *Scottiſh* Subjects for that proportion of Arms which is containd in your Treaty. We ſpeake not this, as not thinking the ſending of Armes to *Ireland* very neceſſary, but onely for the way of the provision. For you know what great quantities VVe have aſſigned out of our ſeverall Stores, which in due time, VVe hope, you will ſee replenished. For the charge of looking to the Magazine at *Hull*, as it was undertaken voluntarily by you at firſt, and (to ſay no more) unneceſſarily, ſo you may free Our good People of that charge and leave it to Us to look to, who are the proper Owner of it.

And this VVe hope will give you full ſatisfaction in this point, and that ye do not (as yee have done in the buſineſſe of the *Militia*) ſend this Meſſage out of complementall Ceremony, reſolving to be your own Carvers at laſt. For we muſt tell you; If any attempt, or direction ſhall be made or given in this Matter, without Our conſent or approbation, VVe ſhall eſteem it as an act of violence againſt Us, and declare it to all the VVorld, as the greateſt violation of Our Right, and breach of Our Priviledge.

Concerning the ſix Priests condemned; It is true, they were Reprieved by

Our Warrant, being informed that they were, (by some restraint) disabled to take the benefit of Our former Proclamation: since that, Wee have issued out another for the due execution of the Laws against Papists, and have most solemnly promised in the word of a King, never to pardon any Priest (without your consent) which shall be found guilty by Law; desiring to banish these, having herewith sent Warrant to that purpose, if upon second thoughts ye do not disapprove thereof: But if you think the Execution of these Persons so very necessary to the great and pious work of Reformation, We refer it wholly to you; declaring hereby, that upon such your Resolution signified to the Ministers of Justice, Our Warrant for their Reprieve is determined, and the Law to have the course.

And now let Us aske you (for Wee are willing to husband time, and to dispatch as much as may be under one Message: God Knows the Distractions of this Kingdom want a present Remedy.) Will there never be a time to offer to, as well as to ask of Us? We will propose no more particulars to you, having no luck to please, or to be understood by you. Take your own time for what concerns Our particular: But be ye sure ye have an early, speedy care of the publick, that is, of the onely Ruie which preserves the Publick, The Law of the Land: Preserve the Dignity, and Reverence due to that. It was well said in a Speech made by a private Person, but published by Order of the House of Commons this

Parliament; *The Law is that which puts a difference betwixt Good and Evil, betwixt Just and Unjust: If you take away the Law, all things will fall into a Confusion, every man will become a Law unto himself, which in the depraved condition of humane nature must needs produce many great*

enormities: Lust will become a Law, and Envy will become a Law, Covetousness and Ambition will become Laws, and what Dictates, what Decisions such Laws will produce, may easily be discerned. So said that Gentleman, and much more very well in defence of the Law, and against Arbitrary Power. It is worth looking over and considering. And if the most Zealous Defence of true Protestant Profession, and the most Resolved Protection of the Law, be the most necessary Duty of a Prince, We cannot believe this miserable Distance, and Misunderstanding can be long continued betweene Us, Wee having often and earnestly Declared them to be the chiefest Desires of Our Soul, and the End, and Rule of all Our Actions.

For Ireland We have sufficiently, and We hope satisfactorily expressed to all Our good Subjects, Our hearty sense of that said Businesse, in Our severall Messages in that Argument; But especially in Our last of the eighth of this moneth, concerning Our Resolution for that Service: For the speedy, honorable, and full Performance whereof, We conjure you to yield all possible Assistance, and present Advice.

FINIS.

T. e

The Petition of the Lords and Commons, presented to
His Majesty by the Earle of Stamford, Master Chan-
cellour of the Exchequer, and Master
Hungerford, April 8. 1642.

May it please your Majestie,

YOUR Majesties most loyall and faithfull Subjects, the Lords and Commons in Parliament have duly considered the Message received from Your Majesty, concerning Your purpose of going into *Ireland* in Your own person, to prosecute the Warre there with the bodies of Your *English* Subjects levved, transported, and mayntained at their charge, which You are pleased to propound to Us, not as a matter wherein Your Majestie desires the advice of Your Parliament, but as already firmly resolved on, and forthwith to be put in execution, by granting out Commissions for the leavying of two thousand Foot, and two hundred Horse for a Guard of Your Person when you shall come into that Kingdome: wherein we cannot chuse but with all reverence and humility to Your Majestie, observe that You have declined Your great Councell the Parliament, and varied from the usuall course of Your Royall Predecessours, That a businesse of so great importance concerning the peace and safety of all your Subjects, and wherein they have a speciall interest by Your Majesties promise, and by those great Sums which they have disbursed, and for which they stand engaged, should be concluded and undertaken without their advice: Whereupon we hold it our duty to declare, That if at this time Your Majesty shall goe into *Ireland*, You will very much endanger the safetie of Your Royall Person and Kingdomes, and of all other States professing the Protestant Religion in Christendom, and make way to execution of that cruell and bloudy Designe of the Papists every where to root out and destroy the Reformed Religion, as the Irish Papists have in a great part already effected in that Kingdome, and in all likelihood would quickly be attempted in other places, if the consideration of the strength and union of the two Nations of *England* and *Scotland* did not much hinder and discourage the execution of any such Designe. And that wee may manifest to Your Majestie the danger and misery, which such a journey and enterprize would produce, wee present to Your Majesty the reasons of this our humble opinion and advice.

YOUR Royall Person will be subject, not onely to the casualty of War, but to secret practices and conspiracies, especially Your Majesty continuing Your profession to mayntaine the Protestant Religion in that

Kingdom, which the Papists are generally bound by their vow to extirpate.

2 It will exceedingly encourage the Rebels, who do generally professe and declare, that Your Majesty doth favour and allow their proceedings, and that this Insurrection was undertaken by the VVarrant of Your Commission, and it will make good their expectation of great advantage by Your Majesties presence at this time of so much distraction in this Kingdome, whereby they may hope we shall be disabled to supply the VVarre there, especially there appearing lesse necessity of Your Majesties Journey at this time, by reason of the manifold successes which God hath given against them.

3 It will much hinder and impair the means whereby this War is to be supported, and increase the charge of it, and in both these respects, make it more insupportable to Your Subject: and this we can confidently affirme, because many of the Adventurers, who have already subscribed, doe upon the knowledge of your Majesties Intention, declare their resolution, not to pay in their money; and others very willing to have subscribed, doe now professe the contrary.

4 Your Majesties absence must necessarily very much interrupt the proceedings of Parliament, and deprive your Subjects of the benefit of those further Acts of Grace, and Justice, which we shall humbly expect from Your Majesty, for the establishing of a perfect union, and mutuall confidence betwixt Your Majesty and Your People, and procuring and confirming the prosperity and happinesse of both.

5 It will exceedingly increase the jealousies and feares of Your People and render their doubts more probable, of some force intended by some evill counsels neer Your Majestie, in opposition of the Parliament, and favour of the malignant party of this Kingdom.

6 It will bereave your Parliament of that advantage, whereby they were induced to undertake this War, upon Your Majesties promise that it should be managed by their advice; which cannot be done, if Your Majesty contrary to their counsels shall undertake to order and govern it in Your own Person.

Upon which and divers other Reasons we have resolved by the full and concurring agreement of both Houses, that wee cannot with discharge of our duty consent to any Leavyes, or raising Souldiers to be made by Your Majesty for this Your intended expedition into Ireland, or to the payment of any Army or Souldiers there but such as shall be employed and governed according to our advice and direction; and that if such Leavyes shall be made by any Commission of Your Majestie (not agreed to by both Houses of Parliament) wee shall be forced to interpret the same to be raised to the terrour of your people, and disturbance of the publicke peace, and hold our selves bound by the Laws of the Kingdom to apply the Authority of Parliament to suppress the same.

And we do further most humbly declare, That if Your Majestie shall by ill counsell be perswaded to go contrary to this advice of Your Parliament (which we hope Your Majesty will not) We doe not in that case hold our selves bound to submit to any Commissioners, which your Majesty shall choose, but doe resolve to preserve and governe the Kingdom by the counsell and advice of Parliament for Your Majestie and Your Posteritie, according to our Allegiance, and the Law of the Land.

Wherefore we doe most humbly pray, and advise Your Majestie to desist from this Your intended passage into *Ireland*, & from all preparation of men & Arms tending thereunto, and to leave the managing of that War to Your Parliament, according to Your Majesties promise made unto us, and Your Royall Commission granted under Your great Seal of *England*, by advice of both Houses; in prosecution whereof, by Gods blessing, we have already made a prosperous entrance by many Defeates of the Rebels, whereby they are much weakened & disheartned, and have no probable means of subsistence, if Our Proceedings shall not be interrupted by this interposition of Your Majesties Journey, but that We may hope upon good grounds, that within a short time, without Hazard of Your Majesties person, and so much dangerous confusion to Your Kingdoms (which must needs ensue) if you should proceed in this Resolution, we shall be enabled fully to vindicate Your Majesties Right and Authority in that Kingdom, and punish those horrible outrageous cruelties, which have bin committed in the murdering and spoiling so many of Your Subjects, and bring that Realm to such a condition as may be much for the advantage of Your Majesty, and this Crown, the honour of Your Government, and Contentment of Your People. For the better, and more speedy effecting whereof, we do again renew our humble desires of Your Return to Your Parliament; and that You will please to reject all counsels and Apprehensions, which may any way derogate from that Faithfulnesse and Allegiance, which in truth and sincerity wee have alwayes born and professed to Your Majestie, and shall ever make good to the uttermost with our lives and fortunes.

His Majesties Answer to the said Petition,

WE are so troubled and astonished to find the unexpected reception, and misunderstanding of Our Message of the eighth of *April* concerning Our Irish Journey, that being so much disappointed of the approbation and thanks Wee looked for to that Declaration; VVee have great cause to doubt, whether it be in Our power to say or doe any thing which shall not fall within the

the like interpretation; But as We have in that Message called God to witness the sincerity of the profession of Our onely Ends for the undertaking that Journey: so We must appeale to all Our good Subjects, and the whole world, whether the Reasons alledged against that Journy be of weight to satisfie Our understanding, or the counsell presented to dissuade Us from it, be full of that duty as is like to prevaile over Our affections.

For Our resolving of so great a Businesse without the Advice of Our Parliament, We must remember you how often by Our Messages We made the same offer, if you should advise Us thereunto. To which you never gave Us the least answer, but in your late Declaration told Us, That ye were not to be satisfied with words: so that We had reason to conceive you rather avoided (out of regard to Our Person) to give Us counsell to run that hazard, then that you disapproved the inclination. And what greater comfort or security can the Protestants of Christendome receive, then by seeing a Protestant King venture and engage His Person for the defence of that Profession, and the suppression of Popery, to which We solemnly protested in that Message, never to grant a Toleration upon what pretence soever, or an Abolition of any of the Lawes there in force against the Professors of it? And when We consider the great calamities, and unheard of cruelties Our poore Protestant Subjects in that Kingdom have undergone for the space of neere, or full six moneths, the growth and encrease of the strength of those barbarous Rebels, and the evident probability of Forraign Supplies, (if they are not speedily suppressed) The very slow Succours hitherto sent them from hence; That the Officers of severall Regiments, who have long time been allowed entertainment from you for that Service, have not raised any supply or Succour for that Kingdom; That many troops of Horse have long lien neere *Chester* untransported; That the Lord Lieutenant of *Ireland*, on whom We relied principally for the Conduct and managing of affaires there, is still in this Kingdom, notwithstanding Our earnestnesse expressed that he should repaire to his Command; And when VVe consider the many and great scandals raised upon Our Selfe by report of the Rebels, and not sufficiently discountenanced here, notwithstanding so many professions of Ours; And had seene a Booke lately printed by the Order of the House of Commons, Entituled, *A Remonstrance of divers remarkeable Passages concerning the Church and Kingdom of Ireland*, VWherein some Examinations are set downe, which (how improbable or impossible soever) may make an impression in the mindes of many of Our weake Subjects; and lastly, VWhen We duely weigh the dishonour which will perpetually lie upon this Kingdom, if full and speedy reliefe be not dispatched thither, VVe could nor cannot thinke of a better way to discharge Our duty to almighty God, for the defence of the true Protestant Profession, or to manifest Our affection to Our three Kingdomes

domes for their preservation, then by engaging Our Person in this Expedition, as many of Our Royall Progenitors have done, even in Forreign parts, upon causes of lesse Importance and Piety, with great Honour to themselves, and advantage to this Kingdome : And therefore We expected at least, thanks for such Our Inclination.

For the danger to Our Person ; We conceive it necessary and worthy of a King to adventure His life to preserve His Kingdome, neither can it be imagined, that VVe wil sit still, and suffer Our Kingdomes to bee lost, and our good Protestant Subjects to bee Massacred, without exposing Our owne Person to the utmost hazard for their reliefe and preservation : Our life, when it was most pleasant, being nothing so precious to Us, as it is, and shall be to governe and preserve Our people with Honour and Justice.

For any encouragement to the Rebels, because of the reports they raised ; We cannot conceive that the Rebels are capable of a greater Terrour, then by the presence of their lawfull King in the head of an Army to chastise them : Besides, it will be an unspeakable advantage to them, if any reports of theirs could hinder Us from doing any thing which were fit for Vs to doe, if such reports were not raised : This would quickly teach them, in this jealous Age, to prevent by such reports any other persons comming against them, whom they had no mind should be employed.

We marvell that the Adventurers, whose advantage was a principall Motive (next the reason before mentioned) to Vs, should so much mistake Our purpose, whose Interest VVe conceive must be much improved by the expedition VVe hope (by Gods blessing) to use in this Service : this being the most probable way for the speedy Conquest of the Rebels : Their Lands are sufficiently secured by Act of Parliament.

VVe thinke not Our selfe kindly used, That the addition of so few men to your Leavies (for a Guard to Our Person in *Ireland*) should be thought fit for your refusall : and much more, that having used so many Cautions in that Message, both in the smalnesse of the number : In Our having raised none untill your Answer : In their being to be raised onely neere their place of Shipping : In their being there to be Armed, and that, not till they were ready to be Shipped : In the provision, by the Oaths, that none of them should be Papists (all which appeares sufficient to destroy all grounds of jealousie of any force intended by them in opposition to the Parliament, or favour to any malignant partie) any suspition should notwithstanding be grounded upon it.

Neither can it be understood, That when VVe recommended the Managing of that warre to you, That VVe intended to exclude our Selfe, or not to be concerned in your Counsels, That if We found any expedient (which in Our conscience or understanding we thought necessary for that great worke) Wee might

might not put it in practice. We looke upon you as Our great Councell, whose advice We alwayes have and will (with great regard and deliberation) weigh and consider: But We looke upon Our Selfe, as neither deprived of Our understanding, or destitute of any right We had, if there were no Parliament sitting. We call'd you together by Our owne Writ and Authoritie (without which you could not have met) to give Us faithfull Counsell about Our great Affaires: But we resigned not up Our owne Interest and Freedome. We never subjected Our Selfe to your absolute determination. Wee have alwayes weighed Your Counsels, as proceeding from a Body entrusted by Us: And when We have dissented from you, We have returned you the Reasons, which have prevailed with Our conscience and understanding, with that Candor, as a Prince should use towards His Subjects; and that affection, which a Father can expresse to his children. What application hath been used to rectifie Our understanding by Reasons, or what Motives have been given to perswade Our affections, We leave all the world to judge: And then We must tell you, howsoever a Major part may bind you in matter of Opinion; We hold Our Selfe (and We are sure the Law, and the Constitution of the Kingdome hath alwayes held the same) as free to dissent (till Our Reason be convinced for the generall Good) as if you delivered no Opinion.

For Our Journey it selfe, The circumstances of your Petition are such, as We know not well what answer to returne, or whether we were best to give any. That part which pretends to carry reason with it, doth no waye satisfie Us: The Other, which is rather Reprehension and Menace, then advice, cannot stagger Us. Our Answer therefore is, That We shall be very glad to find the Worke of Ireland so easie as you seeme to thinke it; Which did not so, appeare by any thing known to Us, when We sent Our Message. And though We will never refuse, or be unwilling to venture Our Person, for the good and safetie of Our People; We are not so weary of Our life, as to hazard it impertinently. And therefore since You seeme to have received Advertisements of some late and great Successes in that Kingdome, We will stay some time to see the event of those, and not pursue this Resolution, till We have given you a second Notice. But if We find the miserable Condition of Our poore Subjects of that Kingdom be not speedily relieved, We will (with Gods assistance) visit them with succours, as our particular Credit and Interest can supply Us with, if you refuse to joine with Us. And We doubt not but the Leavies We shall make (in which VVe will observe punctually the former, and all other Cautions, as may best prevent all Feares and Jealousies, and to use no Power but what is Legall) will be so much to the satisfaction of Our Subjects, as no person will dare presume to resist Our Commands; and if they should, at their perill. In the meane time VVe hope Our forwardnesse so remarkable to that

service, shall be notorious to all the world, and that all scandals laid on Us in that businesse shall be clearly wiped away.

We were so carefull that Our *Journey into Ireland* should not interrupt the proceedings of Parliament, nor deprive Our Subjects of any Acts of Justice, or further Acts of Grace, for the reall benefit of Our People, that We made a Free offer of leaving such Power behind, as should not onely be necessary for the Peace and Safetie of the Kingdome; but fully provide for the happy Progressse of the Parliament. And thier efore We cannot but wonder, since such Power hath been alwayes left here by Commission for the Government of this Kingdome, when Our Progenitors have been out of the same, during the sitting of Parliaments: And since ye our selves desired that such a Power might be left here by Us at Our last going into *Scotland*, what Law of the Land have you now found to Dispencc with you, from submitting to such Authority, Legally derived from Us, in Our absence, and to enable you to Governe this Kingdome by your owne meere Authority?

For Our returne towards *London*, VVe have given you so full an Answer in Our late Declaration, and in Answer to your Petition presented to Us at *Yorke* the 26 of *March* last, that VVe know not what to adde, if you will not provide for Our Securitie with you, nor agree to remove to another Place, where there may not be the same Danger to Us. VVe expected that (since VVe have been so partic'lar in the Causes and Grounds of Our Feares) you should have sent Us word, that you had published such Declarations against future Tumults, and unlawfull Assemblies, and taken such Courses for the suppressing of Seditious Sermons and Pamphlets, that Our Feares of that kind might bee laid aside, before you should presse Our Returne.

To conclude, VVe could wish that you would (with the same strictnesse and severity) weigh and examine your Messages and Expressions to Us; as you doe those ye receive from Us; For VVe are very confident, that if you examine Our Rights and Priviledges, by what Our Predecessours have enjoyed; and your owne addresses, by the usuall Courses of your Ancestors; yee will find many expressions in this Petition warranted onely by your own Authority, which indeed VVe forbore to take notice of, or to give Answer to, lest VVe should be tempted (in a just indignation) to expresse a greater Passion, then VVe are yet willing to put on. God in his good time (VVe hope) will so informe the hearts of all Our Subjects, that VVe shall recover from the mischief and danger of this Distemper; On whose good pleasure VVe will wait with all patience and humilitie.

FINIS.

A Letter sent to His Majestie, from the Lords Iustices, and
Councell in *Ireland* April 23. 1642.

Concerning His Majesties Resolution to go into *Ireland*.

May it please Your most Excellent Majestie,

BY Your Majesties gracious Letters of the thirteenth of this Moneth, and a Copie of Your Majesties Message sent lately to Your Parliament in Your Kingdome of *England*, (both which came to the hands of us Your Justices, on the eighteenth of this Moneth) wee observe that Your Majestie (out of a just sense of the great miseries and afflictions of Your distressed Subjects in this Your Kingdome of *Ireland*, occasioned by the inhumane cruelties of the Rebels here; And out of Your tender and gracious care of Your good Subjects on this side, hath firmly resolved (by the assistance of Almighty God) with all possible speed to make a Journey hither, in Your own Royall Person, for the full and finall suppressing of this Rebellion.

Those Letters and Message we Your Majesties Justices then immediately communicated with the Councell, as we alwayes doe all matters of Importance concerning Your Sacred Majesties Services; And caused the Copy sent us of Your Message to Your Parliament in *England* to be printed here; so to make knowne here Your Majesties gracious purpose, as You commanded us.

And we all joyntly doe humbly beseech Your Majestie to give us leave to cast our selves at Your Majesties feet, and (with the Duty and Loyalty of faithfull Subjects) most humbly and thankfully to acknowledge to Your Sacred Majestie, as well Your continued Grace and Goodnesse, upon all occasions expressed to this Your Kingdome, and all Your Subjects therein; and amongst them, even those wretched Rebels themselves heretofore, when they stood in the condition of good Subjects, though they want the gratitude to be sensible of it; as particularly, this high addition of your Majesties gracious favour to us, in not sparing the paines, or hazard even of Your own Royall Person, for the suppressing of this hideous Rebellion, and punishment of these ungratefull and treacherous Rebels, who are thus unnaturally risen in Armes against Your Majestie, Expressed such unparalleled hatred and detestation against Your Government and Nation, Spilt (unprovoked) the blood of so many thousands of Your faithfull and innocent Subjects, Destroyed the Estates of all the British and Protestants in the Kingdome, And (which is above all) as appears by severall examinations, and many other concurring Circumstances here, notwithstanding all their false and feigned Pretences so disguise their wicked and traiterous purposes, aimed finally at no lesse (which wee tremble to

write, and cannot thinke without horreur and astonishment at their Impiety) then even to deprive You of Your Royall Crowne and Dignitie, and to place over them some of themselves, or some Forreign Prince, and so altogether to shake off the English Government.

Wherefore we cannot but rejoyce (even in the middest of our present Calamities) to heare Your Majesties Princely purpose, to take just vengeance on them, for vindicating your Honour, revenging the blood and destruction of so many of Your faithfull Subjects, and Securing the future Safetie of Your Crownes and Kingdomes.

And as we doe thus joyfully apprehend the happinesse we are to enjoy by those Your Majesties Royall purposes, so we hold it agreeable with the dutie of us Your loyall Subjects and faithfull servants, whom you have advanced to the Honour to serve You as Counsellours to You in this Your Kingdome, humbly to represent to Your Majestie upon this occasion the present estate of Your affaires here, and the condition wherein this Kingdome stands, which we have done by our Letters now sent to Master Secretarie *Nicholas*, to bee made knowne to Your Majestie; that so Your Majestie understanding them, may on that side provide for supplying our defects here, and rendering safety to Your owne Royall Person, against these bloody Rebels, as Your Majestie in Your excellent Judgement shall thinke fit, whereby You may (to the comfort of your good Subjects, and terrour of Your enemies,) appeare in this Kingdome in that Majestie which is futable to the Greatnesse and Wisedome of so Mighty a King as God hath appointed you, whom we pray God to blesse and prosper with length of dayes, and a happy and blessed Government over this, and all other Your Kingdomes and Dominions, to the Glory of God, the Honour of your Majestie, and the Joy and Comfort of all Your Subjects, and amongst them of us,

*From Your Majesties Castle of
Dublin, 23. April. 1642.*

*Your Majesties most loyall and most faith-
full Subjects and Servants.*

*Subscribed by Sir William Parsons, Sir Jo. Borlase Justices. E. of Ormond
Ossory. E. of Roscomon. Lord Ro. Digby. Lord Cha. Lambert. Sir Th.
Rotherham. Sir Jo. Temple. Sir Fra. Willoughby. Sir Ad. Loftus. Sir
Ja. Ware. Sir G. Wentworth. Sir Robert Meredith.*

FINIS.

A Question answered : How Laws are to be understood,
and obedience yeilded? Necessary for the present
state of things, touching the *Militia*.

Question. **N**ow in our extreame distractions, when forraigne forces threaten, and probably are invited, and a malignant and Popish party at home offended? The Divell hath cast a bone, and rais'd a contestation betweene the King and Parliament touching the *Militia*. His Majestie clumes the disposing of it to be in Him by the right of Law; The Parliament saith, *Rebus sic stantibus*, and nolenti Rege, the Ordering of it is in them?

Answer. **VV**hich Question, may receive its solution by this distinction. That there is in Laws an equitable, and a litterall sense. His Majesty (let it be granted) is intrusted by Law with the *Militia*, but it's for the good and preservation of the Republicke, against Forraigne Invasions or domesticke rebellions. For it cannot be suppoed that the Parliament would ever by Law intrust the King with the *Militia* against themselves, or the Common-wealth, that intrusts them to provide for their weale, not for their woe. So that when there is certaine appearance or grounded suspicion, that the Letter of the Law shall bee improved against the equity of it (that is, the publicke good, whether of the body reall or representative) then the Commander going against its equity, gives liberty to the Commanded to refuse obedience to the Letter: for the Law taken abstract from its originall reason and end, is made a shell without a kernell, a shadow without a substance, and a body without a soule. It is the execution of Lawes according to their equity and reason, which (as I may say) is the spirit that gives life to Authority, the Letter kills.

Nor need this equity be expressed in the Law, being so naturally implied and supposed in all Laws that are not meere Imperiall; from that analogie which all bodyes Politicke hold with the Naturall; whence all government and Governours borrow a proportionable respect; And therefore when the *Militia* of an Army is committed to the Generall, it is not with any expresse condition, that he shall not turn the mouths of his Cannons against his owne Souldiers, for that is so naturally and necessarily implied, that its needlesse to be expressed, insomuch as if he did attempt or command such a thing against the nature of his trust and place, it did *ipso facto* estate the Army in a right of disobedience, except we thinke that obedience binds Men to cut their owne throats, or at least their companions.

And indeed if this distinction be not allowed, then the legall and mixt Monarchy

narchy is the greatest *Tyranny*, for if Laws invest the King in an absolute power, and the Letter be not controled by the equity, then whereas other Kings that are absolute *Monarchs* and rule by will, and not by Law, are *Tyrants* perforce. Those that rule by Law and not by will, have hereby a *Tyranny* confer'd upon them legally, and so the very end of Laws, which is to give bounds and limits to the exorbitant wills of Princes, is by the Lawes themselves disappointed, for they hereby give corroboration (and much more Justification) to an arbitrary *Tyranny*, by making it legall, not assumed; which Laws are ordained to crosse not countenance: and therefore is the letter (where it seemes absolute) always to receive qualification from the equity, else the foresaid absurdity must follow.

His Majesties Message to the House of Peeres.

Aprill 22. 1642.

HIS Majestie having seen a Printed Paper, entituled, *A Question answered how Lawes are to be understood, and obedience yielded*; (which Paper hee sends together with this Message) thinks fit to recommend the consideration of it to His House of Peeres, that they may use all possible care and diligence for the finding out the Author, and may give directions to His learned Councell, to proceed against Him and the publishers of it, in such a way as shall be agreeable to Law and the course of Justice, as persons who endeavour to stir up Sedition against His Majestie. And His Majestie doubts not but they will be very sensible how much their own particular Interest (as well as the publicke government of the Kingdome) is, and must be shaken, if such Licence shall be permitted to bold factious spirits to withdraw His Subjects strict obedience from the Laws established, by such Seditious and Treasonable distinctions. And of Doctrines of this nature His Majestie doubts not but that their Lordships will publish their great dislike, it being growne into frequent Discourse, and vented in some Pulpits (by those desperate turbulent Preachers, who are the great Promotors of the distempers of this time) *That humane Lawes doe not binde the Conscience*; which being once beleaved, the civill Government and peace of the Kingdome will be quickly dissolved. His Majestie expects a speedy account of their Lordships exemplary Justice upon the Authors and Publishers of this Paper.

To the Kings most Excellent *Majestie*.
The humble Petition of the Gentry and Commons
of the County of *York*.

Most Royall Sovereigne,

ENCOURAGED by Your Majesties many Testimonies of Your gracious goodnesse to us and our Countie, which we can never sufficiently acknowledge; We in all duty and loyaltie of heart addresse our selves to Your Sacred Majesty, beseeching You to cast Your eyes and thoughts upon the safetie of Your owne Person and Your Princely Issue, and this whole Countie, a great meanes of which we conceive doth consist in the Armes and Ammunition at *Hull*; placed there by Your Princely care and charge, and since upon generall apprehension of dangers from Forreign parts represented to Your Majesty, thought fit as yet to be continued. We for our parts, conceiving our selves to be still in danger, doe most humbly beseech Your Majesty that You will be pleased to take such course and order that Your Magazine may still there remaine, for the better securing of these and the rest of the Northerne parts: And the rather because we thinke it fit, that that part of the Kingdome should be best provided where Your Sacred Person doth reside, Your Person being like *David*, The light of Israel, and more worth then ten thousand of us.

Who shall daily pray, &c.

His Majesties Message sent to the Parliament, *April 24. 1642*
Concerning Sir *Iohn Hothams* Refusall to give His
M A J E S T I E Entrance into *Hull*.

HIS Majesty having received the Petition inclosed from most of the chiefe of the Gentry neere about *Torke*, desiring the stay of his Majesties Armes and Munition in His Magazine at *Hull*, for the safetie (not onely of his Majesties Person and Children, but likewise of all these Northern parts: The manifold rumours of great Dangers inducing them to make their said Supplication) Thought it most fit to goe Himselfe in Person to His Towne of *Hull*, to view His Armes and Munition there, that thereupon He might give Directions, what part thereof might be necessary to remain there, for the securitie and satisfaction of His Northern Subjects, and what part thereof might be spared for *Ireland*, The arming of his Majesties Scots Subjects that are to go thither, Or to replenish His chiefe Magazine of the Tower of *London*; Where being

being come upon the three and twentieth of this instant *Aprill*, much contrary to His expectation, Hee found all the Gates shut upon Him, and the Bridges drawne up, by the expresse command of Sir *John Horham*, (who for the present commands a Garrison there) and from the Wals flatly denied His Majesty Entrance into His said Towne, the reason of the said deniall being as strange to His Majestie, as the thing it selfe; It being, That hee could not admit His Majesty without breach of Trust to His Parliament; which did the more incense His Majesties anger against him, for that hee most seditiously and traiterously would have put his disobedience upon His Majesties Parliament; which His Majesty being willing to cleere, demanded of him if hee had the impudence to aver, that the Parliament had directed him to deny His Majesty entrance, and that if he had any such Order, that hee should shew it in writing, for otherwise His Majestie could not believe it; which he could no ways produce, but maliciously made that false interpretation according to His own Inferences, confessing that he had no such positive Order, which His Majesty was ever confident of: But His Majesty not willing to take so much pains in to vian, offered to come in that His Towne onely with twenty Horse, finding that the mayn of His pretence lay, That His Majesties train was able to command the Garrison: notwithstanding, His Majesty was so desirous to go thither in a private way, that Hee gave warning thereof but over-night; Which hee refusing, but by way or Condition (which His Majestie thought much below Him) held it most necessary to declare him Traitour (unlesse upon better thoughts, hee should yield obedience) which hee doubly deserved, as well for refusing entrance to his naturall Sovereigne, as by laying the reason thereof groundlesly and maliciously upon His Parliament.

One Circumstance His Majesty cannot forget, That His Son the Duke of *York*, and His Nephew the Prince *Electer*, having gone thither the day before, Sir *John Horham* delayed the letting of them out to His Majestie till after some consultation.

Hereupon His Majesty hath thought it expedient to demand Justice of His Parliament against the said Sir *John Horham*, o be exemplarily inflicted on him according to the Laws, and the rather, because His Majestie would give them a fit occasion to free themselves of this imputation, by him so injuriously cast upon them, to the end His Majesty may have the easier way for the chastising of so high a disobedience.

His Majesties Letter to the Major of Kingstone upon Hull.

*To Our trusty and welbeloved, the Major, Aldermen, and Burgeses of
Our Town and Port of Kingston upon Hull.*

TRUSTY and welbeloved, We greet you well, Whereas VVe have bin long sensible of the just Complaints and great Burdens of Our Subjects in these Northern parts, by occasion of the Garrison in Our Town of *Hull*; And whereas VVee were upon Friday the 22 of this moneth petitioned by divers of the Gentry, and others, Inhabitants of this County, That the munition at *Hull* might remain in the Magazin there, for the security of Our Person, and of all these Northerne parts, their Feare being much grounded upon the Parliaments Relations of Forraigne Invasions: Upon which, the more to expresse Our care of Our Peoples safety, We did Our Selse go in Person to that Our Town, that upon Our own view, Wee might consult what proportion of it might be fity removed upon any pressing occasion, having a respect to the promised supply for *Scotland*, the necessary use of Arms for *Ireland*, as well as for the safeguard and satisfaction of these Northern parts: But much contrary to Our expectation, and the Duty and Allegiance of Our Subjects, VVee found the Gates of that Our Town shut, and the Bridges drawn up against Us; and though We came in a peaceable way, reposing the greatest Confidence in the Love and Loyalty of Our People, by offering (as We did) to put Our own Person, and Our two Sons, but with twenty Horse, into that Towne, there being in it a Garrison of about eight hundred Souldiers; Yet We were not onely denied entrance, but in a warlike manner opposed by Sir *John Horham*, the armed men being placed in all the Ports, and about all the Walls of the Town, alleaging (though falsely) for his excuse, The Command of the Parliament, and being pressed by Us to shew such an Order in writing, he could not do it; for VVee were ever very confident that there was never any publick Order of theirs, that could so much as imply a deniall to Our admission; We knowing well enough, that he was entrusted by them for a Guard and Security of that place against Forraigne Enemies, or those at home who are disaffected in Religion, and not against his naturall Sovereigne; which hostile Opposition and actuall Levying of VVar against Our Person, being by the Statute of 35 *Ed. 3*, enacted High Treason: VVhich Statute considered, and that for the avoiding of all Jealousies, as We have said, We were content to have bin admitted with so very small a number in our Company, Wee were thereupon constrained to proclaime the said Sir *John Horham*, and all those that should adhere to, or assist him, Traitors. Of all
which

which above said passages, We have acquainted Our Parliament, demanding Justice to be done upon him, that they might thereby have opportunity to vindicate the imputation laid on them by Sir John Hoſham, and VVe the easier way to chaſtiſe, according to the Law, ſo high a Treason. And leſt a miſ-underſtanding of Our Intentions, or of the Law may miſguide any of Our loyall and wel-affected Subjects, the Inhabitants, Captains, Officers, or Souldiers in that Town, VVe have thought fit to commend to your conſideration the afore-named Statute, with that of the 11 of Hen. 7. Chap. 1.

Wherein it is declared, by the unanimous Aſſent of Parliament, *That the Subjects of this Realme are bound, by the Duty of Allegiance, to ſerve the King, for the time being, for the defence of his Perſon and the Land, againſt every Rebellion, Might, or Power raiſed againſt Him, and with His Majeſty to enter or abide in Service, in Battaille, if cauſe ſo require.* And it was therefore then enacted, *That from thenceforth no perſon whatſoever that ſhall attend upon the King or be in place, by His command, within or without the Land, That for the ſame deed and true ſervice of Allegiance, hee and they be no ways attain or convict of high Treason, or of other Offences for that Cauſe, by any Proceſſe of Law, whereby he, or any of them ſhall loſe or forfeit Lives, Lands, Tenements, Goods, or any thing; but hee for that Deed and Service utterly diſcharged of any vexation, trouble, or loſſe; And if any Act or Acts, or other Proceſſe of Law thereupon for the ſame happen to be made contrary to this Ordinance, that then that Act or Acts, or other Proceſſe of the Law whatſoever they ſhall be, ſtand and be utterly void.*

All which, together with the Copies of Our Meſſage and Petition (which We ſend here incloſed) We require you to publiſh to the Inhabitants, and all ſuch Commanders and Souldiers as will heare them: That knowing both the Perill of the Law on the one ſide, and the ſecurity of ſuch as ſhall adhere to Us on the other they be not miſled (through ignorance) to decline their Allegiance: and that the Souldiers may lay down their Arms, and admit Our entrance in a peaceable way. In ſo doing you ſhall both diſcharge your duties, and thoſe that ſhall have need, be aſſured to find (upon ſuch their ſubmiſſion) Our ready mercy and pardon. And VVe doe likewiſe require, and charge all you, the Inhabitants (as well Souldiers as others) upon your Allegiance, That you permit not any part of Our magazine or munition to be removed or transported out of that Town under any pretence of Order or Power whatſoever, without Our Royall Aſſent in writing under Our Hand. Aſſuring you, That it will be much more pleaſing to Us to have Occaſion adminiſtered by the Fidelity of the Inhabitants to enlarge thoſe Graces and Immunities granted to that Town by Our Predeceſſors, then to have any occaſion to queſtion your Charter.

Given at Our Court at York, the 25 of April, 1642.

His Majesties second Message to the Parliament, concerning Sir *John Hotbams* Refusall to give His Majesty Entrance into His Town of *Hull*.

VVe are so much concerned in the undutifull affront (an indignity all Our good Subjects must disdain in Our behalfe) VVe received from Sir *John Hotbam* at *Hull*, that We are impatient till VVe receive Justice from you ; and are compelled to call again for an Answer; being confident (however you would be so carefull (though without Our consent) to put a Garrison into that Our Town to secure it and Our Magazine against any attempt of the Papists) that you never intended to dispose and mayntain it against Us your Sovereigne : Therefore VVe require you forthwith (for the Businesse will admit no delay) That you take some speedy course, that Our said Town and Magazine be immediately delivered up unto Vs, and that such severe exemplary proceedings be against those persons (who have offered Us this insupportable affront and injury) as by the Law is provided : And till this be done, Wee shall intend no Businesse whatsoever (other then the Businesse of *Ireland*) For if Wee are brought into a Condition so much worse then any of Our Subjects, that whilest you all enjoy your Priviledges and may not have your Possessions disturbed, or your Titles questioned, We onely may be spoiled, thrown out of Our Towns and Our goods taken from Us ; 'tis time to examine how We have lost those Priviledges, and to try all possible Wayes, by the help of God, the Law of the Land, and The affection of Our good Subjects, to recover them, and vindicate Our Selfe from those Injuries. And if Wee shall miscarry herein, We shall be the first Prince of this Kingdome that hath done so, having no other end, but to defend *The true Protestant Profession, The Law of the Land, and The Liberty of the Subject* : And God so deale with Us, as We continue in those Resolutions.

Die Martis 26, April. 1642.

IT is declared by the Lords and Commons in Parliament, That the stopping of the Passages between *Hull* and the Parliament, and the intercepting of Messengers imployed from the Parliament to *Hull*, or from any that are in the Service of the Parliament, or any Letters whatsoever sent by any to, or from the Parliament, is a high breach of the priviledges of Parliament, which by the Laws of this Kingdome, and the Protestation, wee are bound to defend with Our Lives and Our Fortunes, and to bring the Violater thereof to condigne punishment.

And hereby all Lords Lieutenants, and their Deputies authorised by the Ordinance of both Houses of Parliament, all Sheriffs, Justices, Majors, Bailiffs, Constables, and other Officers whatsoever, are required to give their uttermost Aid and Assistance to all that are employed in the said Service, for their better and more speedy free and safe passage: And to apprehend all such as by colour of any Warrant or other Authority whatsoever, shall endeavour or go about to hinder any that are employed about, and them to apprehend, and in safe custody to send up to the Parliament.

Ordered by the Lords and Commons in Parliament, that this Declaration shall be forthwith Printed and published.

Jo. Brown Cler. Parl.

Die Martis 26, April. 1642.

ORdered by the Lords and Commons in Parliament, That the Sheriffs and Justices of the Peace of the Counties of *Yorke* and *Lincolne*, and all others His Majesties Officers, shall suppress all Forces that shall be raised, or gathered together in those Counties either to force the said Town of *Hul*, to stop the passages to, and from the same, or in any other way to disturb the peace of the Kingdom.

ORdered by the Lords and Commons in Parliament, That this Order shall be Printed and published forthwith.

John Brown Cler. Parl.

His Majesties Message to both Houses of Parliament,
April. 28. 1642. Concerning His Refusal to
Pass the Bill for the Militia.

WE have with great deliberation & patience weighed & considered (it concerning Us much, to weigh the consequences of every Law before Wee passe it) your Bill lately sent to Us for the settling of the *Militia*, and though it hath not bin usual to give any Reason for Our Refusal to passe any Bill, (it being absolutely in Our power to pass or not pass any Act sent unto Us by you, if Wee conceive it prejudiciall to Our Self, or inconvenient for Our Subjects, for whom We are trusted, and must one day give an

account) Yet in this businesse of the *Militia*, which being misunderstood amongst Our good Subjects, hath bin used as an Argument, as if we were not vigilant enough for the Publike safety: And lest We should be thought lesse constant in Our Resolutions, and this Bill to be the same Wee sent unto you; Wee have thought fit to give you, and all the world particular satisfaction why VVe cannot, ought not, must not passe this Bill, being the first publike Bill, to Our remembrance, VVe have refused this Parliament; And therefore VVe must complain, That having expressed Our self so cleerly and particularly to you in this point, you should presse any thing upon Us, which you could not but foresee that VVe must refuse, except VVe departed from those Resolutions, grounded upon so much Reason, VVe had so earnestly before acquainted you with, and against which you have not given one Argument to satisfie our Judgement.

VVe are pleased that you have declined the unwarrantable course of your Ordinance (to the which VVe are confident Our good Subjects would never have yielded consent) and chosen this onely right way of imposing on Our People, which we would have allowed but for the reason hereafter mentioned.

VVe refused to consent to your Ordinance, as for other things, so for that the power was put into the persons nominated therein by direction of both Houses of Parliament, excluding Us from any Power in the Disposition or Execution of it together with you. VVe then advised you for many Reasons that a Bill should be prepared, and after in Our Answer of the 26 of *March* last to the Petition of both Houses, VVe told you if such a Bill should be prepared with that due regard to Us, and care of Our people in the limitation of the Power and other Circumstances, VVe should recede from nothing VVe formerly expressed. VVhat passed (enough to have discouraged Us from being further Solicitous in that Argument) after Our full and gracious Answers, VVe are content to forget. When We resolved of Our Journey into *Ireland* (so that by reason of Our absence there might be no want of setting that Power, besides complying with your Feares) VVe sent, together with a Message of that Our purpose, a Bill for the setting that Power for a yeer, hoping in that time to returne to you, and being sure that in much lesse time you might doe the businesse for which you seemed at first to desire this, which was, That you might securely consider Our Message of the 20 of *January* last. By that Bill VVe consented to those names you proposed in your Ordinance, and in the limitation of the Power provided, that Our Self should not be able to Execute any thing but by your advice, and when VVe should be out of the Kingdom, the sole Execution to be in you; with many other things of so arbitrary and uncircumscribed a Power, that VVe should not have consented to, but with reference to the absence of our own Person out of the Kingdom, and thought it the more sufferable,

ble, in respect the time was but for a yeere. VWhether this be the Bill you have now sent Us to passe, let all the world judge.

You have by this Bill now tendred to Us, (without taking notice of Us) put the Power of the whole Kingdom, The Life and Liberties of the Subjects of all degrees and qualities, into the hands of particular men for two yeeres. Can you imagine VVe will trust such an absolute Power in the hands of particular persons, which VVe refused to commit to both Houses of Parliament? Nay, is not the Power it selfe too absolute, too unlimited to be committed into any private hands? Hath not Sir *Iohn Hobams* high Insolencie shewed Us what Wee may expect from an exorbitant Legall Power, when hee, by a Power not warranted by Law, dares venture upon a Treasonable disobedience? But wee would willingly know (and indeed such an account in ordinary Civility we might have expected) why wee are by this Act absolutely excluded from any Power or Authority in the execution of this *Militia*. Sure your Feares and Jealousies are not of such a nature, as are capable of no other remedy, then by leaving Us no Power in a point of the greatest importance, in which God and the Law hath trusted Us solely; and which we were contented to share with you by Our Bill, by putting it and a greater into the hands of particular Subjects. What would all Chrastian Princes think of us, after we had passed such a Bill? How would they value Our Sovereignty? And yet sure Our Reputation with Forraigne Princes is some ground of your security: Nay, wee are confident, by that time you have thorowly considered the possible consequence of the Bill upon your selves, and the rest of Our good Subjects, you and they will give us thanks for not consenting to it, finding their condition (had it passed) not to have bin so pleasing unto them. We hope this Animadversion will be no breach of your Priviledges in this throng of businesse, and Distemper of Affections: 'Tis possible second thoughts may present somewhat to your considerations which escaped you before.

We passed this Parliament at your entreaty a Bill concerning the Captives of *Algiers*, and waved many Objections of Our own to the contrary, upon Information that the Businesse had bin many Moneths considered by you. Whether it prove sutable to your Intentions, or whether you have not by some private Orders suspended that Act of Parliament, upon view of the mistakings, you best know: As likewise what other great Alterations you have made in other Bills passed this Sessions. Wee cannot passe over the putting their names out of this Bill whom before you recommended to us in your Ordinance, it seems not thinking fit to trust those who would obey no Guide but the law of the Land (We imagine you would not wish wee should in Our estimation of others follow that your Rule) and the leaving out by speciall provision the present Lord Major of *London*, as a person in your disfavours, whereas we must

tell you, his demeanour hath bin such, that the City, and the whole Kingdom is beholding to him for his Example.

To conclude, we doe not finde Our Self possessed of such an excesse of power that it is fit to transferre, or consent it should be in other persons (as is directed by this Bill) and therefore wee shall relie upon that Royall Right and Jurisdiction which God and the Law hath given us, for the suppressing of Rebellion, and resisting Forraigne Invasion, which hath preserved this Kingdome in the time of all Our Ancestors, and which we doubt not, but we shall be able to execute; And not more for Our own Honour and Right, then for the Liberty and Safety of Our People, we cannot consent to passe this Bill.

FINIS.

The Declaration, Votes and Order of assistance of both Houses of Parliament, Concerning the Magazin at *Hull*, and Sir *John Hotham*, Governour thereof.

THe Lords and Commons in Parliament, finding Just cause to fear, not onely the desperate designes of Papists, and others of the malignant party at home, but also the malice of Enemies incited by them from abroad, Thought it necessary for the safety of this Kingdome, to secure the Towne of *Kingstone* upon *Hul*, being one of the most considerable places for strength, and affording the best conveniency for landing of Forraigne Forces; And where a great part of the magazine of the Kingdom for that time was placed; And for that end appointed Sir *John Hotham*, one of the members of the House of Commons, being a Gentleman of the same County, of a considerable Fortune, and approved Integrity, to take upon him the Government of that Town, and to draw thither some of the Trained Band for the Guard thereof: In which apprehension and resolution thereupon taken, they are the more confirmed by the sight of some intercepted Letters of the Lord *Digby*, (a principall person of that party) written to the Queen and Sir *Lewis Dives*, whereby that party discovered an endeavour to perswade His Majesty to declare Himselfe, and retire into some place of safety in this Kingdom, in opposition to ways of Accommodation with His people; And to give the better opportunity to himself, and other dangerous persons to resort thither; which could have no other end but to incline His Majesty to take Arms against His Parliament and good Subjects, and miserably to embroil this Kingdom in Civill Wars.

About which time Captaine *Leg* (a man formerly employed in the practice of bringing up the Army against the Parliament) had direction by Warrant produced by him, under the Kings hand and signe Manuall, to enter *Kingston upon Hull*, and to draw thither such of the Trained Bands as he should think fit: And that the Earle of *Newcastle* came thither in a suspicious way, and under a feigned name, and did endeavour to possesse himselfe of the said Town, by vertue of the like Warrant and Authority.

They further conceiving that the Magazine there being of so great importance to this Kingdome, would be more secure in the Tower of *London*, did humbly Petition His Majesty to give His consent the same might be removed, which notwithstanding His Majesty did refuse; And thereupon some few ill-affected persons about the City of *Tork*, took upon them the presumption, in opposition to the desires, and in contempt of both Houses, to Petition His Majesty to continue the Magazine at *Hull*, Alledging it to be for the safety of of His Majesty (as if there could be a greater care in them of His Majesties Royall Person, then in his Parliament) And His Majesty, the next day after the delivery of that Petition, being the 23 of this instant *April*, took occasion thereupon to go to the Town of *Hull*, attended with about four hundred Horse (the Duke of *Tork*, and the Prince *Elect*or being gone thither the day before) and required Sir *John Horham* to deliver up the Town into His hands: Who perceiving His Majesty to be accompanied with such Force as might have mastered the Garrison of the Town; And having received intelligence of an intention to deprive him of his life, in case the King should be admitted, informed His Majesty of the trust reposed in him by both Houses of Parliament, and that hee could not without breach of that trust let Him in; beseeching His Majesty to give him leave to send to the Parliament, to acquaint them with His Majesties commands, and to receive their directions thereupon, which he would do with all expedition. Which Answer His Majesty was not pleased to accept of; but presently caused him and his Officers to be proclaimed Traitors before the wals of the Town, and thereupon dispatched a Message to both Houses, therein charging Sir *John Horham* with high Treason, and aggravating his offence, because he pretended the Parliaments command: (In the meane while hindering him of all means of intelligence with the Parliament) For His Majesty immediately caused all passages to be stopped betweene him and them; And in pursuance of the same, one of his Servants, who was sent by him with Letters to the Parliament, to informe them of the truth of those proceedings, was apprehended, his Letters taken from him, and his person detained, whereby (contrary to the common liberty of every Subject) he was not onely deprived of means to cleere himselfe of that heavy accusation, but of all wayes of intercourse, either to receive directions from them that trusted him, or to informe them what had hap-

The Lords and Commons finding the said proceedings to be a high violation of the Priviledges of Parliament, of which His Majesty had in severall Messages expressed himselfe to be so tender; A great infringement of the Liberty of the Subject and the Law of the Land, which his Majesty had so often lately professed should be the rule to govern by, and tending to the endangering of His Majesties Person and the Kingdomes peace; Thought fit, as well for the vindication of their own Rights and Priviledges, the Indemnity of that worthy person imployed by them, as for the clearing of their own proceedings, to publish these ensuing Votes, which were made upon a former Relation that came from the King.

Die Iovis 28, April. 1642.

Resolved upon the Question.

THat Sir *John Hotham* Knight, according to this Relation, hath done nothing but in Obedience to the Command of both Houses of Parliament.

Resolved &c. That this declaring of Sir *John Hotham* Traitor, being a Member of the House of Commons, is a high breach of the Priviledge of Parliament.

Resolved &c. That this Delaring of Sir *John Hotham* Traitor without due proesse of Law, is against the Liberty of the Subject, and against the Law of the Land.

**The Order of Assistance given to the Committees of
both Houses, concerning their going to
Hull, April 28, 1642.**

VVHereas the Earle of *Stamford*, the Lord *Willoughby* of *Parham*, Sir *Edward Aysecomb*, Sir *Christopher VVray*, Sir *Samuell Owsefield*, and Master *Hatcher*, are by the Lords and Commons in Parliament assembled, commanded to make their repair into the Counties of *York* and *Lincoln*, and the Town of *Kingstone* upon *Hull*, for speciall service for His Majesty, and the peace and safety of the Kingdome, and accordingly have received particular Instructions for their better direction therein; These are to require all Lords Lieutenants, and their Deputies, Sheriffs, Justices of the Peace, Majors, Bailiffs, Constables, and all other His Majesties Officers and loving Subjects, to be aiding and assisting, unto them upon all occasions, as need shall require.

His Majesties Answer to the Declaration, Votes, and Order of Assistance of both Houses of Parliament, concerning the Magazine at *Hull*, sent May 4. 1642.

Since Our gracious Message of the 24. of April last, to both Houses of Parliament (demanding Justice for the high, and unheard of affront, offered unto Us at the Gates of *Hull* by Sir *John Hotbourn*) is not thought worthy of an Answer; but that in stead thereof they have thought fit by their printed Votes of the 28. of April last, to own and avow that unparalleled Act of Sir *John Hotbourns*, to be done in obedience to the Command of both Houses of Parliament (though at that time he could produce no such Command) and with other Resolutions against Our Proceedings there, to publish a declaration concerning that businesse, as an appeale to the People, and as if their intercourse with Us, and for our satisfaction, were now to no more purpose; though wee knew this course of theirs to be very unagreeable to the Modesty and Duty of former times, and unwarrantable by any Precedents but what themselves have made; yet We are not unwilling to joine Issue with them in this way, and to let all the world know, how necessary, just, and lawfull all Our Proceedings have been in this Point, and that the defence of these Proceedings is, The defence of the Law of the Land, of the Libertie and Proprietie of the Subject, and that by the same Rule of Justice, which is now offered to Us, all the private Interest and Title of all Our good Subjects to all their Lands and Goods are confounded and destroyed. Master *Pym* himselfe tels you, in his Speech against the Earle of *Strafford* (published by the Order of the House of Commons) *The Law is the Safeguard; The Custodie of all private Interests; your Honours, your Lives, your Liberties, and Estates, are all in the keeping of the Law; without this, every man hath alike right to any thing.* And We would faine be answered, what Title any Subject of Our Kingdome hath to his House or Land, that We have not to Our Towne of *Hull*? Or what right hath he to his Money, Plate. or Jewels, that We have not to Our Magazine or Munition there? If We had ever such a Tide, We would know when we lost it. And if that Magazine and Munition (bought with Our own Money) were ever Ours; When, and how that Propertie went out of Us. We very well know the great and unlimited Power of a Parliament, but We know as well, that it is onely in that sence as We are a part of that Parliament. Without Us, and against Our Consent, the Votes of either, or both Houses together, must not, cannot, shall not (if We can helpe it, for Our Subjects sake as well as our Own) forbid any thing that is enjoyed by the Law, or enjoyn any thing that is forbidden by

the Law; But in any such alteration which may be for the peace and happiness of the Kingdome, We have not, shall not refuse to consent: And We doubt not, but that all Our good Subjects will easily discern in what a miserable insecurity and confusion they must necessarily and inevitably be, if Descents may be altered, Purchases avoided, Assurances and Conveyances cancelled, the Sovereigne Legall Authority despised and resisted, by Votes or Orders of either, or both Houses: And this We are sure is Our case at Hull; And as it is Ours to day, by the same rule it may be theirs to morrow.

Against any desperate designs of the Papists, We have sufficiently expressed Our Zeale and intentions, and shall be as forward to adventure Our own life and Fortune to oppose any such Designs, as the meanest Subject in Our Kingdome.

For the Malignant Party, as the Law hath not to Our knowledge defined their condition, so hath neither House presented them to Us under such a Notion as We may well understand whom they intend, and We shall therefore only enquire after, and avoid the Malignant Party under the Character of persons disaffected to the Peace and Government of the Kingdome, and such who (neglecting and despising the Law of the Land) have given themselves other Rules to walke by, and so dispensed with their Obedience to Authoritie: Of these persons (as destructive to the Common-wealth) We shall take all possible Caution.

Why any Letters intercepted from the Lord Digby (wherein hee mentions a Retreat to a place of Safety) should hinder Us from visiting Our own Fort, and how We have opposed any wayes of Accommodation with Our Parliament, and what wayes and overtures have beene offered in any way, or like any desire of such Accommodation, or whether Our Message of the 20. of January last (so often in vain pressed by Us) have not sufficiently expressed Our earnest desire of it, let all the world judge: Neither is it in the power of any persons to encline Us to take Arms against Our Parliament, and Our good Subjects, and miserably to imbroyle this Kingdome in Civill Wars. We have given sufficient evidence to the world how much Our affections abhor, and our heart bleeds at the apprehension of a Civill War; And let God and the world Judge, if Our Care and Industry be onely to defend and protect the Liberty of the Subject, The Law of the Kingdome, Our own just Rights (part of that Law) and Our Honour (much more precious then Our Life) and if in opposition to these any Civill Wars shall arise, upon whose Account the Blood and destruction that must follow must be cast: God, and Our own conscience tells Us that We are cleare.

For Captain Leggs being sent heretofore to Hull (though by the way, this is the first time We ever heard that he was accused for the practice of bringing up
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the Army against the Parliament, neither doe We yet know that there is such a charge against him) or for the Earle of *Newcastles* being sent thither by Our Warrant and Authority. We asked a Question long agoe in Our Answer to both Houses concerning the Magazine at *Hull*, which We have cause to think is not easie to be answered : Why the generall rumour of the Designe of Papists in the Northerne parts, should not be thought sufficient ground for Us to put in such a person of Honour, Fortune and unblemished Reputation (as the Earle of *Newcastle* is known to be) into a Town and Fort of Our own, where Our own Magazine lay; And yet the same Rumour be Warrant enough to commit the same Town and Fort without Our consent to the hands of Sir *John Hotham*, with such a Power as is now too well known and understood. How Our refusal to have that Magazine removed upon the Petition of both Houses, could give an advantage against Us to have it taken from Us; And whether it was a refusal, all men will easily understand who read Our Answer to that Petition, to which it hath not beene yet thought fit to make any reply.

For the Condition of those persons who presented the Petition to Us at *Yorke*, (whom that Declaration calls, *Some few ill affected persons about the City of Yorke*) to continue the Magazine at *Hull*, We make no doubt but that Petition will appeare to be Attested both in number and weight, by persons of Honour and integrity, and much more conversant with the Affections of the whole County, then most of those Petitions which have beene received with so much Consent and Approbation : And for their presumption of interposing their advice, We the more wonder at that Exception, when such Encouragement hath been given, and thanks declared to multitudes of meane, unknowne People, Prentices and Porters, who have accompanied Petitions of very strange natures.

For the manner of Our going to *Hull*, We have clearly set forth the same in Our Message to both Houses of that Businesse; And for any intelligence given to Sir *John Hotham* of an Intention to deprive him of his life; as we know there was no such Intention in Us, having given him all possible assurance of the same at Our being there; so We are confident no such intelligence was given; Or if it were, it was by some villain, who had nothing but malice, or designe to fright him from his due Obedience, to warrant him. And Sir *John Hotham* had all the reason to assure himselfe, that his life would be in much more danger by refusing to admit his King into His owne Town and Fort, then by yeelding Him that obedience, which hee owed by his Oathes of Allegiance and Supremacie, and the Protestation, and hee well knew was due and warrantable by the Laws of the Land.

For the number of Our Attendants (though that could be no Warrant for such a disobedience in a Subject) it is well known (as we expressed in Our

Message to both Houses, to which credit ought to have been given) that We offered to goe into the Town with twenty Horse onely; Our whoel Train being unarmed : And whosoever thinks that too great an Attendance for Our Selfe, and Our two Sons, have sure an Intention to bring Us to a meaner Retinue then they yet will avow.

Here then is Our Case (of which let all the world judge) We endeavoured to visit a Town and Fort of Our own wherein Our own Magazine lay, a Subject in defiance of Us, shuts the Gates against Us, with armed men resists, denies and opposes Our Entrance, tels Us in plain terms, We shall not come in. We doe not pretend to understand much Law, yet in the point of Treason, We have had much Learning taught Us this Parliament, and if the sence of the Statute 25. E. 3. Cap. 2. be not very differing from the Letter, Sir *John Hothams* Act was no lesse then plain high Treason : And We had been contemptibly stupid, if VVe had (after all those circumstances of Grace and favour then shewed him) made any scruple to proclaime him Traitor : And whether he be so or no, if he shall render himselfe, VVe will require no other Triall, then that which the Law hath appointed to every Subject, and which VVe are confident VVe have not (in the least degree) in those proceedings violated, no more then We have done the Priviledge of Parliament by endeavouring in a just way to challenge Our own unquestionable Priviledges : for that in such a case, the declaring him Traitor, being a Member of the House of Commons, without Proceffe of Law, should be a breach of Priviledge of Parliament (of which We are sure none extends to Treason, Felonie, or breach of the Peace,) against the Liberty of the Subject, or against the Law of the Land, We must have other Reasons then bare Votes.

VVe would know if Sir *John Hotham* had (with those Forces by which he kept Us out of Our Town of *Hull*) pursued Us to the Gates of *York*, (which he might as legally have done) must we have staid from declaring him Traitor, till proceffe of Law might have Issued against him ? VVill Feares and Jealousies dispense with reall and necessary formes, and must We when actuall War is leaved upon Us, observe formes, which the Law it selfe doth not enjoyne ? The Cause is truly stated, let all the world judge (unlesse the meere Sitting of a Parliament doth suspend all Laws, and VVe are the onely Person in *England* against whom Treason cannot be committed) where the fault is : And whatsoever Course VVe shall be driven to for the vindication of this Our Priviledge, and for the Recovery and maintenance of Our known and undoubted Rights, VVe doe promise in the presence of Almighty God, and as VVe hope for his blessing in Our successe, that We will to the utmost of Our Powers defend and maintain the true Protestant Profession, the Law of the Land, the Liberty of the Subject, and the just Priviledge and freedome of Parliament.

For the Order of Assistance given to the Committees of both Houses, concerning their going to *Hull*, We shall say no more but that those persons named in that Order, We presume will give no Commands, or Our good Subjects obey other, then what are warranted by the Law (how large and unlimited soever the directions are, or the Instructions may be) for to that rule We shall apply Our own Actions, and by it require an account from other men. And that all Our good Subjects may the better know their duty in matters of this nature, We wish them carefully to peruse the Statute in the eleventh yeare of *Hen. 7.*
Chap. 1.

We conclude with Master *Pym* own words: *If the Prerogative of the King overwhelms the liberty of the People, it will be turned to Tyranny; If Liberty undermine the Prerogative, it will grow into Anarchy,* And so We say into Conclusion.

Anno 11. Hen. 7. Cap. 1.

None that shall attend upon the King, and doe him true Service, shall be attainted, or forfeit any thing.

THe King our Sovereigne Lord calling to his remembrance the duty of Allegiance of his Subjects of this his Realme, and that they by reason of the same are bound to serve their Prince and Sovereigne Lord, for the time being, in his Wars, for the defence of him and the Land, against every Rebellion, power, and might, reared against him, and with him to enter and abide in service in battell, if case so require, and that for the same service, what fortune ever fall by chance in the same battell, against the minde and will of the Prince (as in this Land some time passed hath been seene) that it is not reasonable, but against all Laws, reason, and good conscience, that the said Subjects going with their Sovereigne Lord in Wars, attending upon him in his Person, or being in other place, by his commandement within this Land or without, any thing should lose or forfeit for doing their true duty and service of Allegiance.

It be therefore Ordained, Enacted, and Established by the King our Sovereigne Lord, by the advice and assent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by Authority of the same, That from henceforth no manner of person, or persons whatsoever he or they be, that attend upon the King, and Sovereigne Lord of this Land for the time being, in his Person, and doe him true and faithfull service of Allegiance in the same, or be in other places by his Commandement in his Wars within this Land or without: That for the said deed, and true duty of Allegiance, he, or they be in no wise convict or attaint of high Treason, ne of other offences for that cause, by Act of Parliament, or otherwise by any Proccesse of Law, whereby he or any of them shall lose or forfeit Life, Lands, Tenements, Rents, Possessions, Hereditaments, Goods, Chattels, or any other things: but to be for that deed and service utterly discharged of any vexation, trouble or losse. And if any Act, or Acts, or other Proccesse of the Law hereafter thereupon for the same happen to be made contrary to this Ordinance, that then that Act, or Acts, or other Proccesse of the Law, whatsoever they shall be, stand and be utterly void. Provided alway, that no person, or persons shall take any benefit, or advantage by this Act, which shall hereafter decline from his, or their said Allegiance.

FINIS.

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By the King.

A Proclamation concerning the true Payment of Tonnage and Poundage.

VV Hereas in and by the last Act of this Present PARLIAMENT concerning Tonnage and Poundage, (intituled, A Subsidie granted to the King of Tonnage, Poundage, and other sums of Money Payable upon Merchandize Exported and Imported) It is Enacted, That the penaltie and forfeiture contained in an Act made in the first yeere of the Reign of His Maiesties late Royal Father King JAMES (intituled, A Subsidie granted to the King of Tonnage, Poundage, Wools, &c.) Shall not enstie to any person or persons, for the Shipping or unshipping of any Goods or Merchandize, whereupon Tonnage, Poundage, or any sums of money are payable by the said last act, untill notice shall be given of the said last Act, penaltie, and forfeiture, by Proclamation, where the said Goods are, or ought to be entred, unlesse after such notice they shall refuse to compound for such Goods and Merchandize.

His most Excellent Maiestie, lest any His loving Subjects or others (under pretence of ignorance) should forbear to pay the said Tonnage, Poundage, and other sums of money payable upon Merchandize or Goods either Exported or Imported, contrary to the tenour of the said last Act, and for the morespeedie publishing thereof, hath thought fit (by advice of His Parliament) hereby to declare His Royall Will and pleasure to be, That all His loving Subjects, and others whom it shall or may concern, do take notice of the said last Act: And that they, and every of them, doe accordingly pay the said Tonnage, Poundage, and other summes of money, thereby laid, or imposed upon Merchandizes, or Goods, either Imported, or Exported, under the Pains and Penalties in the said last Act, and in the said act made in the said first yeer of the reign of His Maiesties said late Father, or either of them provided, and expressed; And to be further punished according to the Law, for their Contempt of His Maiesties Royall Commandment herein.

And therefore His Maiestie doth hereby straightly charge and command as well all and every His Customers, Comptrollers, Collectors, Searchers, Waiters, and others the Officers and Ministers, in all and every His Maiesties Ports and Havens, and the Members thereof within His Kingdom of England, and Dominion of Wales, as all Justices of Peace, Mayors, Sheriffs, Bailiffs, Constables, Headboroughs, and other His Maiesties Officers, and Ministers, to whom it shall or may appertain, that

they and every of them, in their severall Offices and Places respectively do take care that all and every the Premises be fully executed and performed, according to His Majesties Royall Will and Pleasure herein declared, as they will answer the contrary at their uttermost perils.

Given at Our Court at York the second day of May in the eighteenth year of Our Reigne,

God save the King.

Die Martis 3 Maii 1642.

Ordred by the Lords and Commons in Parliament assembled; That the Persons intrusted with the ordering of the Militia of the City of London, shall have power to draw the Trained Bands of the City into such usuall and convenient places within three miles of the said City, as to them from time to time shall seeme fit, for the training and exercising of the Souldiers; and that the said Souldiers upon Summons shall from time to time appeare and not depart from their Colours without the consent of their Officers, as they will answer their contempt to the Parliament.

Jo. Brown Cler. Parliam.

His Majesties Letter to the High Sheriffe of the County
of Yorke. May the fifth, 1642.

To Our trusty & welbeloved high Sheriffe of Our County of York.

TRusty and welbeloved, We greet you well: Whereas We understand, that Sir *John Hotham* takes upon him (without any legall authoritie or power) to issue Warrants to Constables, and other Our officers, to raise divers of Our Trained Bands of this Our Country, and requires them to march with their Armes, and to come into Our Towne of *Hull*, where he hath disarmed divers of them, keeps their Armes and discharges the men, and whereas We are credibly informed, that divers persons, who were lately Colonells, Lieutenants-Colonels, Captaines, and Officers of the trained Bands of this our County, intend shortly to summon, and endeavour to muster the forces of this our County: For as much as by the Law of the Land, none of our trained Bands are to be raised or mustered, upon any pretence or authority whatsoever, but by speciall warrant under Our owne hand, or by a Legall Writ directed to the Sheriffe of the County, or by Warrant from the Lord Lieutenants, or Deputy-Lieutenants of the County, appointed and authorized by Commission

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under Our great Seale. And whereas at present there is no Lord Lievtenant or Deputie-Lievtenant legally authorized to command the forces and trained Bands of this Our County of *Yorke*, and the Commissions, Command, and Power of all Colonels, Lievtenant-Collonels, Captaines and Officers of Our Trained-Bands, (which were derived from the Commission and Power of the Lord-Lievtenant only) are now actually void, and of no force and authority. Our will and command therefore is, that you forthwith issue Warrants under your hand, to all the late Collonels, Lievtenant-Collonels, Captaines and Officers, who (whiles the Lord Lievtenants Commission was in force) had the command of the Trained Bands of this our County: And also to all High and Petty Constables, and other Our Officers, in this Our County, whom it may concerne; charging and commanding them, and every of them, in Our Name, and upon their Allegiance, and as they tender the Peace of this our Kingdome, not to Muster, Leavie, or Raise, or to Summon, or Warne (upon any pretence or Directions whatsoever) any of Our Trained Bands to Rise, Muster, or March, without expresse Warrant under Our hand, or Warrant from you Our Sheriffe grounded upon a particular Writ to that purpose; which We also Command you, not to put in Execution without Our Privy and Allowance, whiles We shall reside in this Our County. And in case any of Our Trained Bands shall rise, or gather together, contrary to this our Command, Then We will and command you to charge and require them to dissolve, and retire to their dwellings. And if upon due Summons from you, they shall not lay down their Armes, and depart to their dwellings; We will and command you, upon your Allegiance, and as you tender the peace and quiet of this Our Kingdome, to raise the Power of the County, and suppress them by force, as the Law hath directed and given you Power to do. And to the end that this our expresse Command may be notified to all Our good Subjects in this our County, so as none may pretend hereafter to have been misled through ignorance; We require you to cause these our Letters to be forthwith read, and published openly in all Churches and Parishes in this our County. Herein you may not faile, as you tender the safetie and honour of our Person, the good and peace of this Our Kingdome, and will answer the contrary at your perill. For which this shall be your sufficient Warrant.

Given at our Court at York, the fifth day of May, in the eighteenth yeere of Our Reigne, &c.

The Declaration of the Lords and Commons in Parliament assembled, Concerning His Majesties severall Messages about the MILITIA.

THe Lords and Commons holding it necessary for the peace and safety of this Kingdom to settle the *Militia* thereof, did for that purpose prepare an Ordinance of Parliament, and with all humilitie did present the same to His Majesty for his Royall assent, Who notwithstanding the faithfull advice of his Parliament, and the severall Reasons offered by them of the necessity thereof for the securing of his Majesties person, and the peace and safety of his people, did refuse to give his consent, and thereupon they were necessitated in discharge of the trust reposed in them as the representative body of the Kingdom, to make an Ordinance by Authority of both Houses, to settle the *Militia*, warranted thereunto by the fundamentall Laws of the Land: his Majestie taking notice thereof, did by severall Messages invite them to settle the same by Act of Parliament, affirming in his Majesties Message sent in Answer to the Petition of both Houses presented to his Majesty at *York*, *March 26*. That he alwayes thought it necessary the same should be settled, and that he never denied the thing, onely denied the way; and for the matter of it, took exceptions only to the Preface, as a thing not standing with his honour to consent to, and that himself was excluded in the execution, and for a time unlimited; Whereupon the Lords and Commons being desirous to give his Majestie all satisfaction that might be, even to the least title of forme, and circumstance; and when his Majesty was pleased to offer them a Bill ready drawne, did for no other cause then to manifest their hearty affection to comply with his Majesties desires and obtain his consent, entertain the same; and in the mean time no way declining their Ordinance, and to expresse their earnest zeal to correspond with his Majesties desire (in all things that might consist with the peace and safety of the Kingdom, and the trust reposed in them) did passe that Bill, and therein omitted the preamble inserted before the Ordinance, limited the time to lesse then two yeeres, and confined the authority of the Lieutenants to these three particulars, namely Rebellion, Insurrection, and forreigne Invasion. and returned the same to his Majesty for his Royall assent. But all these expressions of affection and loyalty, all those desires and earnest endeavours to comply with his Majesty, hath (to their great grief and sorrow) produced no better effect then an absolute deniall, even of that which his Majesty by his former Messages, as wee

conceive, had promised; the advice of evill and wicked counsels receiving still more credit with him, then that of his great Councell of Parliament, in a matter of so high importance, that the safety of his Kingdom, and the peace of his people depends upon it. But now what must be the exceptions to this Bill? not any sure, that was to the Ordinance; for a care was taken to give satisfaction in all these particulars. Then the exception was, because that the disposing and execution thereof was referred to both Houses of Parliament, and his Majesty excluded: and now that by the Bill the power and execution is ascertained, and reduced to particulars, and the Law of the Realme made the Rule thereof, his Majestie will not trust the persons. The power is too great, too unlimited to trust them with. But what is that power? Is it any other, but in expresse terms to suppress Rebellion, Insurrection, and forraigne invasion? And who are those persons? are they not such as were nominated by the great Council of the Kingdom, and assented to by his Majestie? And is it too great a power to trust those persons with the suppression of Rebellion, Insurrection, and forraigne Invasion? surely the most wicked of them that advised his Majesty to this Answer cannot suggest, but that it is necessary for the safety of his Majesties Royall Person and the peace of the Kingdome, such a power should be put in some hands. And there is no pretence of exception to the persons. His Majesty for the space of above fifteen yeeres together, thought not a power far exceeding this to be too great to intrust particular persons with, to whose will the Lives and Liberties of his people by Martiall Laws were made subject, for such was the power given to Lord Lieutenants, and Deputy Lieutenants in every County of this Kingdom, and that without the consent of his people, or authority of Law. But now in case of extream necessity, upon the advice of both Houses of Parliament, for no longer space then two yeeres, a lesser power, and that for the safety of King and people, is thought too great to trust particular persons with, though named by both Houses of Parliament, and approved of by his Majesty himself. And surely if there be a necessity to settle the *Militia* (which his Majesty was pleased to confesse) the persons cannot be intrusted with lesse power then this to have it all effectually. And the Precedents of former Ages when there hapned a necessity to raise such a power, never straitned that power to a narrower compasse, witnesse the Commissions of *Array* in severall Kings Reignes, and often issued out by the consent and the authority of Parliament. The Lords and Commons therefore intrusted with the safety of the Kingdome, and peace of the people, (which they call God to witnesse is their onely ayme) finding themselves denied these their so necessary, and just demands, and that they can never be discharged before God or Man, if they should suffer the safety of the Kingdom and peace of the people to be exposed to the malice of the Malignant party

party at home, or the fury of enemies from abroad: And knowing no other way to encounter the imminent and approaching danger, but by putting the people into into a fit posture of defence, doe resolve to put their said Ordinance in present execution, and doe require all persons in authority by vertue of the said Ordinance forthwith to put the same in execution, and all others to obey it, according to the fundamentall Laws of the Kingdome in such cases, as they tender the upholding of the true Protestant Religion, the safety of his Majesties person, and his Royall Posterity, the peace of the Kingdome, and the being of this Common-wealth.

Louis 5 Maii, 1642.

Ordere*d by the Lords and Commons assembled in Parliament, that this Declaration shall be forthwith Printed and published.*

John Brown. Cler. Parliament.

His Majesties Answer, by way of Declaration, to a Printed Paper, intituled, *A Declaration of both Houses of Parliament, in Answer to His Majesties last Message concerning the Militia.*

WEE very well understand how much it is below the high and Royall dignity (wherein God hath placed Us) to take notice, much more to trouble Our Self with answering those many scandalous, seditious Pamphlets and Printed Papers, which are scattered with such great Licence thorowout the Kingdome (notwithstanding Our earnest desire, so often in vain pressed for a Reformation) though Wee finde it evident, That the mindes of many of Our weak Subjects have been, and still are poisoned by those means and that so generall a terror hath possessed the minds and heart of all men, that whiles the Presses swarm (and every day produceth new Tracts against the established Government of the Church and State) most men want the Courage or the Conscience to write, or the opportunity and encouragement to publish such composed sober Animadversions, as might either preserve the minds of Our good Subjects from such Infection or restore and recover them when they are so infected: But we are contented to let Our Self fall to any office that may undeceive Our People, and to take more pains this way by Our own Pen, then

ever King hath done, when Wee find any thing that seems to carry the reputation and authority of either,, or both Houses of Parliament, and will not have the same refused or disputed by common and vulgar Pens, till wee are thorowly informed, whether those Acts have in truth that Countenance and VVarrant they pretend. VVhich regard of Ours VVe doubt not but in time will recover that due reverence (the absence whereof Wee have too much reason to complain) to Our Person and Our Messages, which in all ages hath been paid (and no doubt is due) to the Crown of England.

We have therefore taken notice of a Printed Paper, intituled, *A Declaration of both Houses of Parliament*, in Answer to Our last Message concerning the *Militia*, published by the command; The which wee are unwilling to believe (both for the matter of it, the Expressions in it, and the manner of publishing it) can result from the consent of both Houses; Neither do we know by what lawfull command such uncomely, irreverent mention of Us can be published to the World, And though Declarations of this kind have of late (with too much boldnesse) broken in upon Us and the whole Kingdom, when one or both Houses have thought fit to communicate their Counsells and Resolutions to the People, yet we are unwilling to believe, that such a Declaration as this should be published in Answer to Our Message, without vouchsafing at least to send it to Us as their Answer; Their business for which they are met by Our Writ and Authority, being to Counsell Us for the good of Our People, not to write against Us to Our People, and no consent of Ours for their long continuing together, inabling them to doe any thing, but what they were first summoned by Our writ to doe. At least we will believe, though misunderstanding and jealousie (the Justice of God will overtake the Fomenters of that Jealousie, and the Promoters and Contrivers of that misunderstanding) might produce (to say no worse) those very untoward Expressions that if those Houses had contrived that Declaration, as an Answer to Our Message, they would have vouchsafed some Answer to the Question proposed in Ours, which wee professed, did and must evidently prevail over Our understanding; and in their wisdom and gravity they would have beene sure to have stated the matters of Fact, as (at least to ordinary understanding) might be unquestionable; Neither of which is done by that Declaration.

We desire to know why we were by that Act absolutely excluded from any Power or Authority in the execution of the *Militia*, and we must appeal to all the World, whether such an attempt be not a greater and juster ground for Feare and Jealousie in Us, then any one that is avowed for those destructive Fears and Jealousies, which are so publicly owned, almost to the ruine of the Kingdom. But we have been told that we must not be jealous of Our great Coun-

Councell of both Houses of Parliament. We are not, no more then they are of Us their King, and hitherto they have not avowed any jealousie of, or disaffection to Our Person; imputed all to Our evill Counsellours, to a Malignant party that are not of their minds: So We do (and we do it from our soule) professe no Jealousie of our Parliament, but of some turbulent, seditious, and ambitious Natures, which (being not so cleerly discerned) may have an influence even upon the Actions of both Houses; And if this Declaration hath passed by such consent (which we are not willing to beleive) it is not impossible but that the apprehension of such Tumults, which have driven Us from our City of *London* for the safetie of our Person, may make such an impression in other men (not able to remove from the danger) to make them consent or not to own a dissent in matters not agreeable to their conscience or understanding.

We mentioned in that our Answer, our dislike of the putting of their names out of the Bill whom before they recommended to us in their pretended ordinance, and the leaving out by speciall Provision the present Lord Major of *London*, to all which the Declaration affords no Answer, and therefore wee cannot suppose it was intended for an Answer to that our Message, which whosoever looks upon, will find to be in no degree answered by that Declaration.

But it informs all our Subjects, after the mention with what humilitie the Ordinance was prepared and presented to Us (a matter very evident in the Petitions and Messages concerning it) and our refusal to give our consent, notwithstanding the severall reasons offered of the necessity thereof, for the securing of our Person, and the Peace and safety of our People (whether any such Reasons were given, the weight of them, and whether they were not cleerely and candidly answered by Us, the world will easily judge) that they were at last necessitated to make an ordinance by Authority of both Houses to settle the *Militia*, warranted thereunto by the Fundamentall Laws of the Land: But if that Declaration had indeed intended to have answered Us, it would have told Our good Subjects what those Fundamentall Laws of the Land are, and where to be found; And would at last have mentioned one Ordinance from the first beginning of Parliaments to this present Parliament, which endeavoured to impose any thing upon the Subject without the Kings consent; for of such, all inquiry We can make could never produce us one instance. And if there be such a secret of the Law, which hath lain hid from the beginning of the world to this time, and now is discovered to take away the just Legall Power of the King, We wish there be not some other secret (to be discovered when they please) for the ruine and destruction of the Liberty of the Subject: For no doubt, if the Votes of both Houses have any such Authority to make a

new Law, it hath the same Authority to repleale the old, and then what will become of the long established Rights and Liberties of the King and Subject, and particularly of *Magna Charta*, will be easily discerned by the most ordinary understandings.

It is true, We did (out of the tenderneſſe of the Conſtitution of the Kingdom, and care of the Law, which We are bound to defend, and being moſt aſſured of the unjuſtifiableneſſe of the pretended Ordinance) invite and deſire both our Houſes of Parliament to ſettle whatſoever ſhould be fit of that nature, by Act of Parliament; But were We therefore obliged to paſſe whatſoever ſhould be brought to Us of that kind? We did ſay in Our Answer to the Petition of both Houſes, preſented to Us at *York* the 26 of *March* laſt (and We have ſaid the ſame in other Meſſages before) that We alwayes thought it neceſſary the buſineſſe of the *Militia* ſhould be ſetled, and that we never denied the thing, onely denied the way, and We ſay the ſame ſtill, ſince the many Diſputes, and Votes upon Lords Lieutenants, and their Commiſſions (which were begun by Us, or Our Father) had ſo diſcountenanced that Authority, which for many yeers together was happily looked upon with Reverence and Obedience by the People; We did, and doe thinke it very neceſſary, that ſome wholeſome Law be provided for that buſineſſe, but we declared in Our Answer to the pretended Ordinance, We expected that that neceſſary Power ſhould be firſt Inveſted in Us, before We conſented to transfer it to other men: Neither could it ever be imagined, that We would conſent that a greater Power ſhould be in the hands of a Subject, then We were thought worthy to be truſted with Our Selfe; And if it ſhall not be thought fit to make a new Act, or Declaration in this point, We doubt not but We ſhall be able to grant ſuch Commiſſions, which ſhall very Legally enable thoſe We truſt to doe all offices for the peace and Quiet of the Kingdome, if any Diſturbance ſhall happen.

But that Declaration ſaith, We were pleaſed to offer them a Bill ready drawne, and that they (to expreſſe their earneſt zeale to correſpond with Our deſire) did paſſe that Bill, yet all that expreſſion of Affection and Loyalty, all that earneſt deſire of theirs to comply with Us, produced no better effect then an abſolute deniall, even of what by Our former Meſſages (as that Declaration conceives) We had promiſed; and ſo proceeds (under the pretence of mentioning evill and wicked Counſels) to cenſure and reproach Us in a Dialect, that We are confident Our good Subjects will read with much indignation on Our behalfe. But ſure if that Declaration had paſſed the examination of both Houſes of Parliament, they would never have affirmed that the Bil we reſuſed to paſſe, was the ſame we ſent to them, or have thought that Our Meſſage, wherein the difference and contrarietie between the two Bills is ſo particularly ſet down, would be answered with the bare averring them to be one and the ſame Bill:

No more would they have declared (when Our exceptions to the Ordinance, and the Bill are so notoriously knowne to all Our people) that care being taken to give satisfaction in all the particulars We had excepted against in the Ordinance, We had found new exceptions to the Bill; And yet this very Declaration confesses, that Our exception to the Ordinance was, that in the disposing and execution thereof We were excluded; And was not this an expt^{se} reason in Our answer for our refusall of the Bill which this Declaration will needs confute? But the power was no other then to suppress Rebellion, Insurrection, and forraigne invasion, and the Persons trusted no other then such as were nominated by the great Councell of the Kingdome, and assented to by Us; and that Declaration askes if that be too great a Power to trust these persons with? Indeed whiles so great liberty is used in Voting and declaring men to be Enemies to the Common-wealth (an English phrase We scarcely understand) and in censuring men for their service and attendance upon Our Person, and in Our lawfull Commands, great heed must be taken into what hands We commit such a Power to suppress Insurrection and Rebellion. And if Insurrection and Rebellion have found other definitions then what the Law hath given them, We must be sure that no lawfull Power shall justifie those definitions; And if there be Learning found out to make Sir *John Hotbams* taking Armes against Us, and keeping Our Town and Fort from Us, no Treason and Rebellion. We know not whether a new discovery may not find it Rebellion in Us, to defend our Selfe from such Armes, and to endeavour to recover what is so taken from Us: and therefore it concernes Us (till the known Law of the Land be allowed to be judge between Us) to take heed into what hands We commit such Power: Besides, can it be thought, that because We are willing to trust certain persons, that we are obliged to trust them in whatsoever they are willing to be trusted? We say, no private hands are fit for such a Trust, neither have We departed from any thing (in the least degree) We offered or promised before, though We might with as much reason have withdrawn Our Trust from some Persons We before had excepted, as they did from others whom they recommended. For the Power which We are charged to have committed to particular Persons, for the space of fifteene yeeres by our Commissions of Lieutenancy, it is notoriously known, that it was not a Power created by Us, but continued very many yeeres, and in the most happy times this Kingdome hath enjoyed (even those of Our renowned Predecessours Queene *Elizabeth* and Our Father of happy memory) and what ever Authority was granted by those Commissions which were kept in the old form, the same was determinable at Our pleasure, and We know not that they produced any of those Calamities which might give Our good Subjects cause to be so weary of them, as to run the hazard of so much mischief as that Bill we refused might possibly have produced.

For the Presidents of former ages in the Commissions of Array, We doubt not but when any such have issued out, that the Kings consent was alwayes obtained, and the Commissions determinable at His pleasure, and then what the extent of power was, will be nothing applicable to this Case of the Ordinance.

But whether that Declaration hath refused Our Reasons for Our refusall to passe the Bill or no, it hath resolved and required all Persons in authority thereby to put the Ordinance in present execution, and all others to obey it according to the fundamentall Lawes of the Land. But We whom God hath trusted to maintain and defend those fundamentall Lawes (which We hope he will blesse to secure Us) to declare that there is no legall power in either or both Houses, upon any pretence whatsoever, without Our consent, to command any part of the *Militia* of this Kingdome, nor hath the like ever been commanded by either or both Houses since the first foundation of the Lawes of this Land; and that the execution of or the obedience to that pretended Ordinance is against the fundamentall Laws of the Land, against the liberty of the Subject and the right of Parliaments, and a high crime in any that shall henceforth execute the same. And We do therefore charge and command all Our loving Subjects, of what degree or quality soever, upon their Allegiance, and as they tender the peace of this Kingdom, from henceforth not to Muster, Leavie or Array, or summon or warn any of Our Trained Bands, to Rise, Muster or March by vertue or under Colour of that pretended Ordinance: And to this Declaration and command of Ours, We expect and require a full submission and obedience from all Our loving Subjects upon their Allegiance, as they will answer the contrary at their perills, and as they tender the upholding of the true Protestant profession, the safety of Our Person, and Our Royall Posterity, the Peace and Being of this Kingdom.

FINIS.

An Order of the House of Parliament concerning the gathering in of the Pole-moneys.

Die Veneris, May 6. 1642.

Ordere*d* that the Knights and Burgeses of every County be forth-with enjoyned to write unto the severall Sheriffs of every County, that they require all the Commissioners of their respective Counties, to make present return of all such Certificates of the Pole-mony, as have not yet bin returned according to the former Order of this House, and also be enjoyned to take into their Custody the severall Certificates of every severall County already returned respectively, and to examine the

the true state of them, and that where they find any Certificates not returned or defective, that they forth-with give notice unto the severall Commissioners of each County inhabiting within forty miles of this City, to make their returns by the last of this instant May, and all those beyond that distance by the twentieth of June next, and bring so by them examined, that they take a speedy course to returne the same unto the Committee for Accompts and Pele-money at such time as they shall be required by the said Committee, who have agreed to call for them with all speed, and to digest them into forme, that so they may present them unto the House, and to begin with the City of London and Westminster, according to a former Order in that case. And it is further ordered that the Sheriffs of the severall Counties respectively doe certifie into how many severall divisions, the Commissioners of the severall Counties did divide themselves within the Counties for the collecting of the Pele-mony.

The most humble Answer of the Lords, and Commons in Parliament, to two Messages from Your Sacred Majesty, concerning Sir John Hothams Refusall to give Your Majestie Entrance into the Towne of Hull.

Presented to his Majesty at *Yorke* the ninth of *May* 1642.

YOUR Majesty may be pleased to understand, That we Your great Councell, finding manifold Evidences of the wicked Counsell and Practices of some in neer trust and authority about You, to put the Kingdom into a combustion, by drawing Your Majesty into places of Strength, remote from Your Parliament, and by exciting Your people to commotions, under pretence of serving Your Majesty against Your Parliament; Left this malignant Party, by the advantage of the Town and Magazine of *Hull*, should be enabled to go thorow with their mischievous Intentions, Did (in discharge of the great Trust that lies upon us, and by that power which in cases of this nature resides in us) command the Town of *Hull* to be secured by a Garrison of the adjoining Train Band, under the Government of Sir *John Hothams* requiring him to keep the same for the service of Your Majesty and the Kingdom, wherein we have done nothing contrary to Your Royall Sovereignty in that Town or Legall Propriety in the Magazine,

Vpon Consideration of Sir *John Hothams* proceeding at Your Majesties being there, we have upon very good Grounds adjudged, That he could not discharge the trust, upon which, nor make good the End, for which he was

placed in the Guard of that Towne and Magazine, if hee had let in Your Majesty, with such Counsellours and Company as then were about You :

Wherefore upon full Resolution of both Houses, wee have declared Sir *John Hotham* to be cleare from that Odious Crime of Treason, and have avowed, That hee hath therein done nothing, but in obedience to the Commands of both Houses of Parliament, assuring our selves, That upon mature deliberation Your Majesty will not interpret his Obedience to such Authority, to be an affront to your Majesty, or to be of that Nature as to Require any Justice to be done upon him, or satisfaction to be made to Your Majesty : But that you will see just cause of joyning with Your Parliament, in Preserving and Securing the Peace of the Kingdom, suppressing this wicked and Malignant Party, who by false Colours and Pretensions of mayntaining Your Majesties Prerogative against the Parliament (wherein they fully agree with the Rebels in *Ireland*) have been the Causes of all our Distempers and Dangers.

For Prevention whereof, wee know no better Remedy, then settling the *Militia* of the Kingdome according to the Bill which we have sent Your Majesty, without any intention of deserting or declining the Validity or observance of that Ordinance, which past both Houses upon Your Majesties former refusall : But we still hold that Ordinance to be effectuell by the Laws of this Kingdom.

And we shall be exceeding glad, if Your Majesty by approving these our just, dutifull, and necessary Proceedings, shall be pleased to entertain such counsell, as wee assure our selves (by Gods blessing) will prove very advantageous for the honour and greatnesse of Your Majesty, the safety and peace of Your People ; amongst which we know none more likely to produce such good effects, then a Declaration from Your Majestie of Your purpose to lay aside all thoughts of going into *Ireland*, and to make a speedy return into these parts, to be neer Your Parliament. Which as it is our most humble desire and earnest Petition, so shall it be seconded with our most dutifull Care for the safety of Your Royall Person, and constant prayers, that it may prove Honourable and successfull in the happinesse of Your Majesty, and all Your Kingdoms.

His Majesties Reply, to the answer of both Houses of
Parliament, Presented to His Majesty the ninth of May,
to two Messages sent to them from His Majesty
concerning Sir *Iohn Hothams* refusall to
give His Majesty Entrance into
His Town of *Hull*.

His Majesty was in good hope, that the reason why you so long deferred your Answer to His Messages concerning *Hull*, was, That you might the better give Him satisfaction therein, which now adds the more to his Astonishment, finding this Answer (after so long Advise ment) to be of that nature, which cannot but rather increase, then diminish the present Distractions, if constantly adhered unto by the Parliament. Was it not too much that His Majesties Town of *Hull* had a Garrison put into it, to the great charge of the Countrey, and inconvenience to the poore Inhabitants, without His Majesties Consent and Approbation, under colour at that time of Forraign Invasion and apprehensions of the Popish parts; but now the Reasons thereof must be enlarged with a scandall to His Majesty and his faithfull servants, onely to bring in the more specious pretext for the avowing of Sir *Iohn Hothams* Treasonable insolvency?

His Majesty hath so often heard of the great trust that by God and Mans Law is committed to the King, for the Defence and Safety of His People, but as yet hath never understood what trust or power is committed to either or both houses of Parliament without the King; they being summoned to Counsell and Advise the King; but by what Law or Authority they possesse themselves of His Majesties proper right and inheritance, Hee is confident, that as they have not, so they cannot shew.

His Majesty hitherto hath not given the least interruption to publike Justice; but you rather then suffer one of your Members to come so much as to a Legall Triall for the highest crime, will make use of an Order of Parliament to countenance Treason, by declaring him free from that guilt which all former Ages never accounted other, and that without so much as enquiring the opinion of the Judges: for His Majesty is confident that you would have mentioned their opinion if you had asked the same.

Therefore His Majesty expects, That upon further and better consideration of the great and necessary consequence of the Businesse of *Hull*, and seriously

weighing how much this doth concern the peace and quiet of the Kingdom, you will (without further instance from His Majestie) give him full and speedy Justice against Sir *John Hotham*: And He leaves all His good People to think, what hope of Justice there is left for them, when you shall refuse or delay to give your owne Sovereigne satisfaction: And (as his Majestie hath already said) till this be done, He will intend no Businesse whatsoever, other then that of *Ireland*.

And His Majestie likewise expects, That in the way you have expressed in this your Answer, you will not put the *Militia* in Execution, untill you can shew Him, by what Law you have Authority to do the same without His consent: Or, if you do, He is confident, That He shall find much more Obedience according to Law, then you against Law: And His Majestie shall esteeme all those that shall obey you therein, to be disturbers of the peace of the Kingdom, and in due time call them Legally to a strict account for the same.

As for *Ireland*, His Majestie refers you to his former Answer.

And lastly, concerning His Return, He never heard, That the slander of a Kings Government, and His faithfull Servants, The refusing of Him Justice in a case of Treason, And the seeking to take away His undoubted and Legall Authority, under the pretence of putting the Kingdome into a Posture of Defence, were Arguments to induce a King to come neere, or hearken to His Parliament.

FINIS.

His Majesties speech to the Gentry of the County of
York, attending his Majestie at the City of York,
on Thursday the twelfth of
May, 1642.

Gentlemen,

I Have cause of adding not altering, what I meant to say, when I gave out the Summons for this days appearance, I little thought of these Messengers, or of such a Message as they brought, the which because it confirms mee in what I intend to speak, and that I desire you should be truly informed of all passages between me and the Parliament, you shall here read, First, my Answer to the Declaration of both Houses concerning *Hull*, the Answer of the Parliament to my two Messages concerning *Hull*, together with my Reply to the same, and my Message to both Houses, declaring the Reasons why I refused to passe the Bill concerning the *Militia*.

All which being read his Majesty proceeded.

I Will make no paraphrases upon what yee have heard, it more befitting a Lawyer then a King, onely this observation since Treason is countenanced so neere mee, it is time to looke to my safety: I avow, it was part of my wonder, that men (whom I thought heretofore discreet, and moderate) should have undertaken this employment, and that since they came (I having delivered them the Answer, you have heard and commanded them to returne personally with it to the Parliament) should have flatly disobeyed me upon pretence of the Parliaments command. My end in telling you this, is to warne you of them, for since these men have brought mee such a Message, and disobeyed so lawfull a Command; I will not say what their intent of staying here is, onely I bid you take heed, not knowing what doctrine of disobedience they may preach to you, under colour of obeying the Parliament. Hitherto I have found and kept you quiet, the enjoying of which was a chief cause of my coming hither (Tumults and Disorders having made mee leave the South) and not to make this a seat of War, as malice would (but I hope in vain) make you believe; Now if disturbances come, I know whom I have reason to suspect.

To be short, you see that my Magazin is going to be taken from me (being my owne proper goods) directly against my will; The *Militia* (against Law and my consent) is going to be put in Execution: And lastly, Sir *John Hothams* Treason is countenanced; All this considered, none can blame me to apprehend dangers. Therefore I have thought fit (upon these reall Grounds) to tell you, that I am resolved to have a Guard (the Parliament having had one all this while upon imaginary Jealousies,) onely to secure my person. In which I desire your concurrence and assistance, & that I may be able to protect you, the Laws, and the true Protestant profession from any Affront or Injury that may be offered, which I mean to mayntain my self without charge to the Countrey, intending no longer to keep them on foot, then I shall be secured of my just Apprehensions by having satisfaction in the particulars before mentioned.

FINIS.

A Letter from the Right Honourable *Ferdinando Lord Fairfax, Sir Hugh Cholmely, Sir Philip Stapleton, Sir Henry Cholmly*, Committees of the Commons House of Parliament
residing at *York*.

SIR,

IN our last Letter we gave you an Account of our first and second wayting on the King, wee wrote to you then, that his Majesty commanded us to attend him yesterday being Thursday, to heare what hee said to the Gentlemen, Which a little before the meeting, hee seconded by a particular Message. Being come thither, his Majesty caused the severall Messages betweene him, and the Parliament, mentioned in this inclosed printed paper to be read.

This was done with much humming, and applause of the Kings Messages by some persons who had placed themselves neere about where the King stood. But when any thing from the Parliament came to bee read, with so much hissing, and reviling the Parliament, that though in respect, and duty to the Kings Person, we could not resent it, as otherwise wee should have done, yet have since expostulated, and complained of it to his Majesty. Some were so bold as to say openly, That the Parliament men should set their Houses in order, for many of them should shortly have their heads off; One of which (as since we are credibly informed) was one *Hurst*, a servant to one Master *William Crofts*. In this which was said by the King, you will see what reason we had to vindicate our selves, and therefore we immediately repayred to the Deans house with all the other Gentlemen, and there we took notice of the rough usage we had received; We told them that it was neither indiscretion nor disobedience in us (as his Majestie was pleased to call it) to deliver the Parliaments Message, or to stay here though commanded to the contrary, since wee conceived no man needed to be satisfied in so cleer a case as this; That every Member of each House ought to obey their commands, when they were pleased to employ them. But since his Majesty thought fit to bid them, take heed of us, not knowing what doctrine or disobedience we might preach to them under colour of obeying the Parliament, we appealed to every man, whether wee had in word or deed, in publike or in private, done any thing that became not honest men, and persons employed from the Parliament. That wee had communicated our Instructions to his Majesty, being that we would avow all our Actions, and that we were confident it would not be said, wee had transgressed them. This was

very

very well taken and justified by the Countrey. Yesterday there came divers thousands of Freeholders to this City, though none but the Gentry were summoned, but receiving a Command from the King not to come to Court they forbore, and stayed in the Castle yard, yet sent this Petition enclosed to his Majesty, and received the Answer annexed thereunto. There was likewise a Committee of twelve Gentlemen appointed yesternight to consider of drawing up an Answer to the Kings proposition concerning a Guard, but nothing could be then done, because it was past three a clock before the Gentlemen were admitted at the King. This morning the Freeholders assembled againe in the Castle-yard, and there they made this Protestation enclosed, of their right of voting in what concerneth the peace of the Countrey, as having their interest therein.

When we all met this morning againe at the Deans House, we who are your Committees received this Message by Sir *Edward Stanhop*, That hee came from his Majesty to command us that we should depart from this meeting, and if we did stay, his Ma. would judge us guilty of that he spake on yesterday, which was Tampering. Norwithstanding which Command, we read the fourth Article of our Instructions to the whole Company, that being pertinent to the busines we were then upon, and desired them to consider, whether the Parliament had not expressed therein such a care of the Kings safety, that there would be little need of Guards: we told them that we had a good right of being there as Freeholders of the County, but that in obedience to the King wee would depart for this time: But whensoever there should be occasion of our being there in pursuance of our Instructions and Commands from the Parliament, we should be ready. The whole Company received great satisfaction, and desired a Copy of that Instruction, which wee gave them. Wee were the more willing at that time to goe from thence, because wee should not onely give obedience to the Kings Command, which otherwise he would have said, wee constantly disobeyed, but because the Committee of twelve appointed yesternight were then to withdraw, so that there was nothing for the present for us to do; We immediately went to the King, and besought him that since we were continually so discountenanced by him, in the face of our County, that hee would be pleased to let us know in particular wherein we had given the occasion, for wee otherwise conceived wee were deprived of that Liberty, which was our due in respect of that Interest we had here. His Majestie was pleased to tell us, that if wee would lay aside that condition of Committees from the Parliament, hee would not hinder us to be there as Gentlemen of the Countrey; We humbly replied, that we could not lay that down, nor could wee be absent from any meeting where our presence was required for the service, as Committees from the Parliament: to which his Majesty said, That indeed he thought we could not lay it down, neither that it was reasonable we should have Votes, and be in a double Capacity. The Com-

mittee hath been together most part of this day, but not agreeing : Six of them have drawn up this Answer enclosed, which they have communicated to the Gentlemen, & Freeholders. The greater part of the Gentlemen, and all the Freeholders have agreed to, and subscribed it. The other six have concluded upon this other Answer, consenting to a Guard of Horse, but this we doe not heare, that they have gotten many names too, nor can we get a Copy of those names as yet, though these be very few, yet whether they can bring in any Horse or no, we cannot yet judge. The King hath received both these resolutions, which with his Answers to them, you shall likewise have here inclosed. His Majesty had declared himselfe yesterday, that he would raise that Regiment, which was Sir Robert Stricklands for his foot Guard, but hee hath now laid aside that Resolution. The Freeholders of the County are now newly summoned to attend his Majesty about a week hence, the three Ridings upon three severall days, but for what service we doe not know.

Sir, you have here a large Narrative of the passages at this meeting ; what dangers this poore Country lyes under, we humbly refer it to you to judge, not taking upon us to deliver any opinion. The businesse lasted so long, that it hindered us from giving a more speedy accompt, Sir, This is what at this time is sent from,

York 13 Maie
1642.

Your assured friends and servants,

• Fer. Fairfax, Hu. Cholmley, Philip Stapleton Hen. Cholmley.

To the Kings most Excellent Majesty.

WEE Knights and Gentlemen whose names are subscribed doe unanimously present this our Answer to your Majesties propositions concerning the raising of a Guard of Horse for the security and defence of your sacred person.

To which proposition wee, as we conceive our selves bound by Allegiance, do willingly concur. For that purpose humbly desiring that the aforesaid may be raised by legall Authority : And likewise that it may consist of persons unquestionable in their Religion, and Gentlemen.

The substance of His Majesties Answer.

His Majesty gave them thanks, for it appeared as a satisfactory answer, and in it they had shewed great circumspection and wisdom, by chusing such whose Loyalties could not be questioned, by excluding Recusants and all suspected to be disaffected.

The Answer to His Majesties Propositions, of the Gentlemen and Freeholders which subscribed the same at the Deans House, where the Sheriff was.

May it please your most Sacred Majestie,

THe Propositions delivered to us yesterday from your Majestie are of so high concernment to the Weale and peace of the whole Kingdome, and doth so nearly touch upon the affection and fidelity of all your Subjects in generall, as wee being but a part of one Countie onely, do not conceive it safe for us to advise therein, but rather humbly to beseech your Majesty to impart the grounds of your Majesties feares and jealousies to your High Court of Parliament (of whose most loyall care and affection to your Majesties honour and safety, and the prosperity of your Subjects and Dominions we are most confident) and whatsoever shall be advised by your great Counsell therein, we shall most willingly embrace and give our concurrence and assistance to it as shall become us, In whose fidelity and affection your Majesty hath often declared especiall trust; And albeit wee do not presume to advise your Majesty in that particular being of transcendant consequence, nevertheless in the behalfe of those Members of Parliament lately employed to attend your Majesty from both Houses being all of them Gentlemen of quallity and estate in this Countie, and trusted to serve in that most Honourable Assembly; Wee humbly crave your Majesties leave to expresse our Confidence in their unstained loyalty and affection to your Majesty to be such as your Majesty may securely admit their attendance to negotiate their employments, untill they be recalled by the Parliament. And for their fidelity, we do all engage our selves to your Majesty, and we are most assured that your Royall person shall be secure in the generall fidelity of your *Subjects of this Countie* without any extraordinary Guard.

His Majesties Answer to this returned by the Sheriff.

His Majestie expects the like affection from you that hee doth from the other Gentlemen, and that hee hath the same confidence in you, that he hath in the others.

To the Kings most Excellent Majesty.

The humble Petition of many thousands of Your Majesties peaceably affected Subjects of the County of YORK.

Humbly sheweth,

THat many of your Petitioners being in their late desires of petitioning your Majesty, denied access, kept back with violence, and receiving great affronts from some that have dependancy on your Majesty and others there assembled, yet no provocation could remove them from their patience and duty, which proceedings are taken more to heart, your Petitioners conceiving it undeniable that they have an Interest in the common-wealth, and are as dutifull, and loyall Subjects to your Majesty as whomsoever, though divers of them have bin since uncivilly prest by some in your Majesties name to subscribe a paper styled the Humble Answer to your Majesties Propositions, and threatened thereto, upon which blows followed, and that when your Majesties Army should be on foot, those should be first pillaged that refused such subscription, which we humbly conceive are positively contrary to your Majesties own expressions, and is to the high dishonour of your Majesty, and the great affrightment, and disturbance of your Majesties liege people. Therefore your Petitioners having too just cause to fear your Majesties Royall heart is still endangered to be possessed with some distaste of your Petitioners, humbly supplicate your Majestie, to conceive better things of them, and to cast your eye upon the present state of this your Kingdom, that as your Majesty hath often declared your affection to this County, so now your love might be expressed in preserving the peace thereof, and that your Majesty would admit of a right Information of the cleere intentions of your Petitioners who are confident, that no so absolute, and hearty observance to your Majesties just Commands can be demonstrated as what your Majesty in Parliament shall declare, which if it become divided (as God forbid) our hearts even tremble to consider the dangers and diminution of the honour, and safety of your Majesties posterity, and Kingdoms will unavoidably be put upon; since it is cleer to every understanding, that it is not a divided part of one, or severall Counties that can afford that honour, and safety to your Majesty as the whole Kingdom, which you may command, no ground or feare of danger remayning, if a good Confidence were begot betwixt your Majesty and Parliament, whose grave and loyall Counsels are

we humbly conceive the visible way under God to put a speedy end to the troubles of *Ireland*, and establish your Throne in righteousness. And lastly your Petitioners doe most humbly supplicate that we may represent our unfitness to become Judges betwixt your Majesty and Parliament in any thing or dispute the Authority of either, which they humbly conceive do fortifie each other, it being most unfit for them to act any thing therein, but by their prayers for a right understanding between your Majesty and them, which we shall heartily doe, as also for your Majesties long and prosperous Reigne, and as we are bound by our late Protestation shall be ready to mayntaine your Majesties Just Rights, the Priviledges and Power of Parliament, and the lawfull Liberties of the Subjects.

The Kings Answer to the Petition of the Country at
the Court at *York*, May 13, 1642.

His' Majestie,

HAVING with some care considered this Petition, being the first of this nature that hath bin presented to him, wherein any appearing well affected to his service (though hee hath heard of many in the Contrary) have misdemeaned themselves, hath commanded me to give you this Answer.

That he doth totally discover proceedings complained of in the Petition, and expects that you and all others his Loyall Subjects shal rest satisfied with his severall Gracious Declarations and constant peaceable practice towards his people to the contrary, and for further assurance upon just proof made against any man who hath committed any violence in words or actions (without just provocation) full reparation shall be given to the parties injured, As for the rest of this Petition, his Majesty saith, that it is so confused that he doth not well know what positive Answer to give it. And the rather because it is grounded upon misinformation, both of his Majesties proceedings and intentions, as in particular his Majesty saith, he never intended to have you to be Judges betwixt him and his Parliament. And for the other part of this Petition he refers to his Messages, Declarations, and Answers, whereby it will cleerly appeare that his desire and intention is onely the preserving of the true Protestant profession, the Laws of the Land, the liberty of his people, the peace of the Kingdom, And the peace of this County in particular.

The Protestation of Freeholders. May 13. 1642.

VV Hereas his Majesty hath been pleased to give Summons to the Gentrie of this Countie to Attend him at his Court at *Yorke* the Twelfth of *May* instant, to advise with him in some particulars, concerning the honour, and safety of his Majesties Person, and the well being and peace of this our County ; and in the said summons was pleased to omit the Freeholders of this County, out of a tender respect of putting them to any extraordinary charge, yet we conscious of our sincere loyalty to his Majestie our Gracious Sovereign, and conceiving our selves according to the proportions of our estates, equally interested in the common good of the County, did take boldnesse to come in person to *Yorke*, and were ready to attend his Majesties pleasure there: And whereas his Majesty was pleased then to propound severall things to the purpose aforesaid, at the meeting of the Country, to consider a fit answer to returne to his Majesty thereupon, the doores of the meeting house were shut against us, we utterly excluded, and in our absence a Referree of Knights and Gentlemen chosen without our knowledge or consent to draw up the said Answer. We the Free-holders who petitioned his Majesty the day above-said, conceiving our selves abundantly injured in the election (not knowing any warrant by Writ or otherwise for the same) of the said Referree, and that we ought not however to be concluded by any resolution of theirs without our assent in their Election ; doe absolutely protest and declare against the said Election : and as farre as concernes us disavow whatsoever shall be the result of their consultation thereupon, and doe desire a new and faire election of a Referree may be made, we admitted to our free Votes in the same, and some one or more to be nominated by us, allowed to deliver our sence for us at another meeting : And that we shall not make good in the least respect any thing whatsoever, which shall otherwise be concluded upon,

The Vores of the Parliament Die Iovis 12 May 1642.

Resolved upon the Question,

THAT this House doth declare that if any person whatsoever shall arrest, or imprison the persons of the Lords and Gentlemen, or any of them : or any other of the Members of either House of Parliament, that shall be employed in the service of both Houses of Parliament, or shall offer violence to them or any of them for doing any thing in pursuance of the Commands or Instructions of both Houses, shall be held disturbers of the proceedings of Parliament, and publick enemies of the State : And that all persons are bound by their protestation

protestation to endeavour to bring them to condigne Punishment.

Resolved, &c. That this House doth declare that those of the City of London, and all other persons that have obeyed the Ordinance for the *Militia*, and done any thing in execution thereof, have done according to the Law of the Land, and in pursuance of what they were commanded by both houses of Parliament, and for the defence and safety of the King and Kingdom, and shall have the assistance of both Houses of Parliament against any that shall presume to question them for yeelding their obedience unto the said Commands in this necessary and important service. And that whosoever shall obey the said Ordinance for the time to come shall receive the same approbation and assistance from both Houses of Parliament.

Resolved &c. That this House doth declare that they are resolved to maintaine those Lords and Gentlemen in those things they have done and shall further doe in obedience of their Commands, for the preserving the peace of the Kingdome.

O Rdered that a Message be sent to the Lords to desire them that the Committees may meet and prepare a speedie answer to this Message of his Majesties, and perfect the Answer to his Majesties last Messages and to prepare a Letter of thanks to the Committees at York, and to let them know therein, that they will make their case their owne, and maintaine them in what they shall doe in obedience of their Commands, and that a Letter to the same purpose be sent to the Committees at Hull, and the Votes agreed upon by the Lords and Commons enclosed, and to acquaint them with the agreement of this House in the Votes sent from their Lordships, and to desire that the Lords would forthwith issue their Commissions into all parts of the Kingdome, and appoint a day certaine when the Trained bands of the Counties adjacent may be exercised according to the Ordinance of Parliament, and another day for the Counties more remote, and that some members may be sent into the severall Counties to see the Ordinance performed.

By the King.

W Hereas, upon Summons from Us divers Gentlemen of this our County of York did attend Us upon Thursday the twelfth of this instant May, when Wee declared Our Resolution (for the Reasons then delivered by Us) to have a Guard to secure and defend Our Person, and desired therein the Concurrence and Assistance of the Gentry of this County. And whereas divers Gentlemen of this County, for many Reasons and Occasions, could not then appear to receive Our pleasure on that behalfe

Behalfe whereunto whers have subscribed. Wee have therefore thought good hereby to give notice as wel to those Gentlemen who were not then present, as to those who did then attend Us, that Our Command is, That as well those Gentlemen who are charged with Hozle, as others, appeare at Yorke upon Friday the twentieth of this Moneth, in such manner and equipage as will be convenient for the guard of our person. And we require and command, That in the interim no other warrants, Order, or Command whatsoever shall distract or hinder this Our service. And we further will and command, That this Our Order be forthwith published by the Sheriffe of this Our County : For which this shall be sufficient warrant.

Given at Our Court at York the fourteenth day of May, in the eighteenth Year of Our Reign, 1643.

His Majesties Letter to the Gentry of Yorkshire, May the sixteenth, 1642.

To Our Trusty and welbeloved the Gentry of Yorke, and others of this our County of Yorke, whom it doth or may concerne.

WEE have with great contentment considered your dutifull and affectionate *Answer* to our Proposition concerning the unsufferable affront which we received at *Hull*; Wee have not been deceived in that confidence we had in your affection, wherefore Wee desire you to assure the rest of your Countreymen, who through negligence, were omitted to be summoned: that Wee shall never abuse your love by any power wherewith God shall enable Us to the least violation of the least of your Liberties or the diminution of those Immunities which We have granted you this Parliament, though they be beyond the Acts of most (if not all) Our Predecessours; being resolved with a constant and firme resolution to have the Law of this Land duly observed, and shall endeavour only so to preserve Our just Royall Rights, as may enable Us to protect our Kingdome and people, according to the Ancient Honours of the Kings of *England*, and according to the trust which by the law of God and this Land is put into the Crowne, being sufficiently warned by the late affront at *Hull*, not to transerre the same out of our power; concerning which *Affront* we will take some time to *Advise* which way we may usefully *employ your affections*; In the mean time Wee shall take it well from all such as shall personally attend Us, *so followed and provided*, as they shall thinke fit for the better safety of Our Person, because Wee know

know not what sudden violence, or affront may be offered unto vs, having lately received such an actuall testimonie of rebellious intentions as Sir *Iohn Hotham* hath expressed at *Hull*: Being thus secured by your affections and assistance. We promise you Our protection against any contrary power whatsoever. And that you shall not be molested for your humble and modest Petition, as of late you have been threatned.

Given at Our Court at York, May the 16, 1642.

Die Martis, 17. Maii. 1642.

THe Lords and Commons in Parliament doe declare, That it is against the Laws and Liberties of the Kingdome, That any of the Subjects thereof, should bee commanded by the King to attend Him at His pleasure; but such as are bound thereto by speciall Service; And that whosoever upon pretence of his Majesties Command shall take Arms, and gather together with others, in a Warlike manner, to the terrour of the Kings people, shall be esteemed disturbers of the publike peace, and to do that which may introduce a precedent of very dangerous consequence for the future, and produce most mischievous effects for the present, Considering the great distempers of the Kingdome, and what pernicious Counsellours, and Incendiaries, are now about the King, and how desperate and ill affected divers persons, attending upon His Majestie have shewed themselves to the Parliament, and to his other good Subjects, threatning and reproaching them publickly, even in His Majesties presence, and for preventing, and avoiding such great mischiefs as may thereupon ensue.

It is Ordered and Ordained by both Houses of Parliament, That if the Trained-Bands, or any other His Majesties Subjects, shall upon pretence of any such command be drawn together, and put into a posture of Warre, the Sheriff of that County where there shall be such raising, or drawing together of Armed men; Doe forthwith raise the power of the County to suppress the same, and to keep His Majesties peace according to Law. And that the Lord Lieutenants, Deputy-Lieutenants, Justices of the Peace, and all other His Majesties Subjects be ayding and assisting to the severall and respective Sheriffs in performance hereof, as they will answer the contrary at their perill.

H. Elsing Cler. Parl. D. Com.

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Die Martis, 17. Maii. 1642.

VV Hereas the Lords in Parliament, have this day been Informed, That the King is resolved to adjourn the next Terme from *Westminster* to *Yorke*; Upon which, The Lords sent a Committee to the Lord Keeper of the great Scale of *England*, to know of him, whether hee had received any command touching the same, who acquainted the said Committee, That he had received a command from His Majesty to issue Proclamations, and Writs, to that purpose.

Wheretupon, This House taking the said matter into consideration, hath Voted: That the Kings remouall of the Terme to *Yorke*, from *Westminster*, sitting this Parliament, is Illegal,

And hath further ordered, That the said Lord Keeper, shall not issue out any Writs, or Scale any Proclamation, for adjourning the said next Terme from *Westminster* to *Yorke* as aforesaid.

Io. Brown, Cleric. Parl.

Die Martis, 17. Maii, 1642.

Severall Votes of Parliament, concerning Serjeant Major Generall Skippon.

Resolved upon the Question,

THat this command of His Majesty to call Captain *Philip Skippon*, Serjeant Major Generall of the Forces of *London*, to attend his Majesties Person at *Yorke*, is against the Law of the Land and the liberty of the Subject.

Resolved, &c. That this command of His Majesty, to call Captain *Philip Skippon*, Serjeant Major Generall of the Forces of *London*, to attend His Majesties Person, being imployed by both Houses to attend their Service, without their consent, is against the priviledge of Parliament.

Resolved, &c. That Captain *Philip Skippon*, Sergeant Major Generall of the Forces of *London*, shall continue to attend the Service of both Houses, according to their former commands.

Hen. Elsing. Cler. Parl. D. Com.

Die Martis, 20. Maii. 1642.

IT is this day Ordered by the Lords and Commons in Parliament assembled, That the Magazines of the severall Counties in *England*, and *Wales* shall be forthwith put into the power of the Lord Lieutenants of the said Counties, respectively, (being such as the Parliament doth confide in) for the Service and safety of His Majesty and the Kingdom.

Ordered by the Lords in Parliament, That this Order shall be Printed and Published.

Io. Brown, Cler. Parl.

The

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The Declaration or Remonstrance of the Lords and Commons, in Parliament assembled.

MAY 19, 1642.

With divers Depositions and Letters thereunto annexed.

THe infinite mercy, and providence of the Almighty God hath bin abundantly manifested since the beginning of this Parliament, in great variety of protections and blessings whereby hee hath not onely delivered us from many wicked Plots, and Designs, which if they had taken effect would have brought ruine and destruction upon this Kingdome; but out of those attempts hath produced divers evident, and remarkable advantages to the furtherance of those services, which wee have been desirous to performe to our Sovereigne Lord the King, and to this Church and State in providing for the publike peace, and prosperity of his Majesty, and all his Realmes: which in the presence of the same All-seeing Deity, we protest to have been, and still to be the onely end of all our counsels and endeavours, wherein wee have resolved to continue freed, and enlarged from all private aymes, personall respects or passions whatsoever.

In which resolution we are nothing discouraged, although the heads of the Malignant party disappointed of that prey, the Religion and Liberty of this Kingdome, which they were ready to seise upon, and devoure before the beginning of this Parliament, have still persisted by new practices, both of force and subtilty, to recover the same again: for which purpose they have made severall attempts for the bringing up of the Army; they afterwarde projected the false accusation of the Lord *Kimbleton*, and the five Members of the House of Commons, which being in it selfe of an odious nature, they yet so far prevailed with his Majesty as to procure him to take it upon himselfe, but when the unchangeable duty and faithfulnessse of the Parliament could not be wrought upon by such a fact as that, to withdraw any part of their reverence and obedience from his Majesty, they have with much art, and industry advised his Majesty to suffer divers unjust scandals, and imputations upon the Parliaments to be published in his name, whereby they might make it odious to the people, and by their help to destroy that, which hitherto hath been the onely means of their own preservation.

For this purpose they have drawne his Majesty into the Northerne parts far

from the Parliament, that so false Rumours might have time to get credit, and the just defences of the Parliament finde a more tedious, difficult, and disadvantageous access, after those false imputations and slanders had bin first rooted in the apprehension of his Majestie, and his Subjects, which the more speedily to effect, they have caused a Presse to be transported to *York*, from whence severall papers, and writings of that kinde are conveyed to all parts of the Kingdom, without the authority of the great Seale, in an unusuall and illegall manner, and without the advice of his Majesties Privy Counsell; from the greater and better part whereof having withdrawne himselfe aswell as from his great Counsell of Parliament, hee is thereby exposed to the wicked and unfaithfull counsels of such as have made the wisdom, and justice of the Parliament dangerous to themselves, and this danger they labour to prevent by hiding their own guilt under the name and shadow of the King: infusing into him their own fears, and as much as in them lies, aspersing his Royall Person and honour with their own infamy, from both which it hath alwayes beene as much the care, as it is the duty, of the Parliament to preserve his Majesty, and to fix the guilt of all evill actions and counsels, upon those who have been the Authours of them.

Amongst divers Writings of this kind, we the Lords and Commons in Parliament, have taken into our consideration two Printed Papers; the first containing a Declaration which they received from his Majesty in answer of that, which was presented to his Majesty from both Houses of Parliament at *Newmarket* the 9 of *March* 1641. The other his Ma. Answer to the Petition of both houses presented to his Ma. at *York* the 26 of *March* 1642. Both which are filled with harsh censures, and causelesse charges upon the Parliament; concerning which we hold it necessary to give satisfaction to the Kingdom, seeing we find it very difficult to satisfie his Majesty, whom to our great grieve, wee have found to be so engaged to, and possided by those misapprehensions which evill Counsellors have wrought in him, that our most humble and faithfull Remonstrances, have rather irritated and embittered, then any thing allayed or mitigated the sharpe expressions which his Majesty hath beene pleased to make in answer unto them, for the manifestation whereof, and of our owne innocency, we desire that all his Majesties loving Subjects may take notice of these particulars.

We know no occasion given by us which might move his Majesty to tell us that in our Declaration presented at *Newmarket*, there were some expressions different from the usuall language to Princes.

Neither did wee tell his Majesty either in words or in effect, that if hee did not joyn with us in an Act which his Majesty conceived might prove prejudiciall,

ciall, and dangerous to himselfe, and the whole Kingdom, wee would make a Law without him, and impose it upon the people. That which we desired, was that in regard of the imminent danger of the Kingdom, the *Militia* for the security of his Majesty, and his people, might be put under the command of such Noble and faithfull persons, as they had all cause to confide in, and such was the necessity of this preservation, that we declared, that if his Majesty should refuse to joyn with us therein, the two Houses of Parliament being the supream Court and highest Councell of the Kingdome, were enabled by their own authority to provide for the repulsing of such imminent, and evident danger, not by any new Law of their own making, as hath been untruly suggested to his Majesty, but by the most ancient Law of this Kingdome, even that which is fundamentall and essentiall to the constitution and subsistence of it.

Although we never desired to encourage his Majesty to such Replies as might produce any contestation betwixt him and his Parliament, of which we never found better effect, then losse of time, and hindrance of the publike affaires; Yet We have bin far from telling him of how little value his words would be with us, much lesse when they are accompanied with actions of Love and Justice. His Majesty hath more reason to find fault with those wicked Counsellours, who have so often bereaved him of the honour, and his people of the fruit, of many gracious Speeches, which he made to them, such as those in the end of the last Parliament; That in the word of a King, and as hee was a Gentleman he would redresse the grievances of his People aswell out of of Parliament as in it: Were the searching the Studies and Chambers, yea, the Pockets of some both of the Nobility, and Commons the very next day; The Commitment of Master *Bellasis*, Sir *Iohn Hotbaw*, and Master *Crew*, the continued oppressions by Ship-money, Coat and Conduct-money, with the manifold imprisonments, and other vexations thereupon, and other ensuing Violations of the Laws and Liberties of the Kingdom, (all which were the effects of evill counsell, and abundantly declared in our generall Remonstrance of the State of the Kingdom) actions of Love and Justice, suitable to such words as those?

As gracious was his Majesties Speech in the beginning of this Parliament; That he was resolved to put himself freely, and cleerly upon the love and affection of his *English* Subjects. Whether his causelesse Complaints and Jealousie, the unjust imputations so often cast upon his Parliament, his deniall of their necessary defence by the Ordinance of the *Militia*, his dangerous absenting himself from his great Councell, like to produce such a mischievous division in the Kingdom, have not been more suitable to other mens evill counsels then to his own words, will easily appeare to any indifferent Judgment.

Neither have his latter Speeches beene better used, and preserved by these

evill and wicked Counsellours : could any words be fuller of Love and Justice then those in his answer to the Message sent to the House of Commons the one and thirtieth of *December*, 1641. We do engage unto you solemnly the word of a King that the security of all, and every one of you from violence, is and ever shall be as much our care as the preservation of Us and Our children ? and could any actions be fuller of injustice and violence then that of the Attorney Generall, in falsely accusing the six Members of Parliament, and the other proceedings thereupon, within three or foure dayes after that Message? for the full view whereof let the Declaration made of those proceedings be perused: and by those instances (we could adde many more) let the world judge who deserves to be taxed with disvaluing his Majesties words, they who have as much as in them lyes, stained and sullied them with such foule counsels, or the Parliament, who have ever manifested with joy, and delight their humble thankfulness for those gracious words, and actions of Love, and Justice, which have been conformable thereunto.

The King is pleased to disavow the having any such evill Counsell or Counsellours as are mentioned in our Declaration to his knowledge, and wee hold it our duty, humbly to avow there are such, or else we must say, that all the ill things done of late in his Majesties name, have been done by himselfe, wherein we should neither follow the direction of the Law, nor the affection of our own hearts; which is as much as may be to cleer his Ma. from all imputation of misgovernment, and to lay the fault upon his Ministers the false accusing of six Members of Parliament, the justifying Master Attourney in that false accusation, the violent comming to the House of Commons, the deniall of the *Militia*, the sharp Messages to both Houses, contrary to the Customes of former Kings, the long and remote absence of his Majestie from Parliament; the heavy and wrongfull taxes upon both Houses, the cherishing and countenancing a discontented party in the Kingdome against them, these certainly are the fruits of very ill Counsell, apt to put the Kingdom into a Combustion, to hinder the supplies of *Ireland*, and to countenance the proceedings and pretentions of the Rebels there, and the Authours of these evill Counsels, we conceive must needs be known to his Majesty, and wee hope our labouring with his Majesty, to have these discovered, and brought to a just censure, will not so much wound his honour in the opinion of his good Subjects, as his labouring to preserve and conceal them.

And whereas his Majesty saith, he could wish that his own immediate Actions which he avowes on his own honour, might not be so roughly censured under that Common style of evill Counsellours : We could also heartily wish that we had not cause to make that style so Common, but how often and unduti-

dutifully soever these wicked Counsellours fix their dishonour upon the King, by making his Majesty the Authour of those evill actions, which are the effects their own evill Counsels; Wee his Majesties loyall and dutifull Subjects can use no other stile according to that *Maxime* in the Law, the King can doe no wrong, but if any ill be committed in matter of State, the Councell; if in matter of Justice, the Judges must answer for it.

We lay no charge upon his Majesty, which should put him upon that apologie, concerning his faithfull and zealous affection of the Protestant profession; Neither doth his Majesty endeavour to cleer those, in greatest Authority about him, by whom (we say) that Designe hath been potently carried on for divers yeers, and we rather with that the mercies of Heaven then the Judgments may be manifested upon them, but that there have bin such, there are so plentifull and frequent evidences, that we beleive there is none either Protestant or Papist who hath had any reasonable view of the passages of latter times, but either in fear or hope, did expect a suddain issue of this Designe.

We have no way transgressed against the act of Oblivion, by Remembring the intended warre against *Scotland*, as a Branch of that Designe to alter Religion, by those wicked Councils, from which God did then deliver us, which we ought never to forget.

That the Rebellion in *Ireland* was framed and cherisht by the Popish and Malignant party in *England*, is not only affirmed by the Rebels, but may be cleered by many other proofs; The same Rebellious principles of pretended Religion, the same politique ends are apparent in both, and their malicious designs and practices are maskt, and disguised with the same false colour of their earnest zeal to vindicate his Majesties Prerogative from the supposed oppression of the Parliament, how much these treacherous pretences have bin countenanced by some evill Counsell about his Majesty may appeare in this, that the Proclamation, whereby they were declared Traitors was so long withheld as to the second of *January*, though the Rebellion broke forth in *October* before, and then no more but forty Copies appointed to be Printed, with a speciall command from his Majesty not to exceed that number, and that none of them should be published till his Majesties pleasure were further signified, as by the Warrant appears, a true Copy whereof is hereunto added, So that a few only could take notice of it, which was made more observable, by the late contrary proceedings against the *Scots*, who were in a very quicke and sharpe manner proclaimed, and those Proclamations forthwith dispersed, with as much diligence as might be thorew all the Kingdome, and ordered to be read in all Churches, accompanied with publique Prayers and Execrations; Another evidence of favour, and countenance to the Rebels in some of power about his Majesty is this, that they have put forth in his Majesties name, a causlesse

complaint against the Parliament; which speaketh the same language of the Parliament which the Rebels doe, thereby to raise a beleeve in mens mindes, that his Majesties affections are alienated, as well as his person is removed from that his great councill; All which doth exceedingly retard the supplies of Ireland, and more advance the proceedings of the Rebels, then any Jealousie, or misapprehension begotten in his Subjects, by the declaration of the Rebels, Injunction of *Rossessi*, or information of *Tresfram Whitcombe*, so that considering the present state and temper of both Kingdomes, his Royall presence is far more necessary here, then it can be in *Ireland*, for redemption or protection of his Subjects there.

His Majesty not charged with intencion of any force.

And whether there be any cause of his Majesties great indignation for being reproach'd to have intended force or threatening to the Parliament: We desire them to consider who shall read our Declaration, in which there is no word tending to any such reproach, and certainly we have been more tender of his Majesties honour in this point, then he whosoever he was, that did write this Declaration, where in his Majesties name, he doth call God to witnesse, he never had any such thought, or knew of any such resolution of bringing up the Army; which truly will seeme strange to those, who shall reade the deposition of Master *Goring*, Information of Master *Percie*, and divers other examinations of Master *Willmor*, Master *Pollard* and others, the other examination of Captaine *Legg*, Sir *Jacob Ashley*, Sir *John Connevers*, and consider the condition and nature of the Petition which was sent unto Sir *Jacob Ashley*, under the approbation of *C.R.* which his Majesty doth now acknowledge to be his owne hand, and being full of scandall to the Parliament, might have proved dangerous to the whole Kingdome, if the Army should have interposed betwixt the King and them as was desired.

Master *Iermine* escape by his Majesties Warrant.

We doe not affirme that his Majesties warrant was granted for the Passage of Master *Iermine*, after the desire of both houses for restraint of his servants, but onely that he did passe over after that restraint by vertue of such a Warrant. Wee know the Warrant beares date the day before our desire, yet it seemes strange to those who know how great respect and Power Mr. *Iermine* had in Court, that hee should begin his Journey in such hast, and in apparell so unfit for travaile, as a black Sattin suit, and white Bootes, if his going away were designed the day before.

Accusation of the Lord *Kimbolton*, &c.

The Accusation of the Lord *Kimbolton*, and the five members of the house of Commons is called a breach of priviledge, and truly so it was, and a very high one, farre above any satisfaction that hath been yet given; how can it be said to be largely satisfied, so

long as his Majestie laboured to preserve Mr. Attourney from punishment; who was the visible Actor in it: so long as his Majestie hath not only Justified him, but by his Letter declared, that it was his duty to accuse them, and that he would have punished him, if he had not done it: So long as those Members have not the means of clearing their Innocency, and the Authors of that malicious charge undiscovered, though both houses of Parliament have severall times petitioned his Majestie to discover them, and that not only upon grounds of Common Justice, but by Act of Parliament. His Majestie is bound to doe it: so long as the King refuseth to passe a Bil for their discharge, alleadging that the Narrative in that Bill, is against his honour, whereby he seemes still to avow the matter of that false, and scandalous accusation, though he deserts the prosecution, offering to passe a Bill for their acquittall, yet with intimation that they must desert the avowing their own innocencie, which would more wound them in honour, then secure them in Law.

And in vindication of this great priviledge of Parliament, we doe not know that we have invaded any priviledge belonging to his Majestie, as is alleadged in this Declaration.

But we looke not upon this only in the Notion of a breach of priviledge, which might be, though the accusation were true, or false, but under the Notion of a haynous crime in the Attorney and all other Subjects, who had a hand in it, a Crime against the law of nature, against the rules of Justice; that innocent men should be charged with so great an offence as Treason, in the face of the highest Judicatory of the Kingdome, whereby their lives and estates, their blood and honour are endangered, without witnesse, without evidence, without all possibility of reparation, in a Legall Course, yet a crime of such a nature, that his Majesties command can no more warrant, then it can any other Act of Injustice: it is true that those things which are evill in their owne nature, such as a false testimony or false accusation, cannot be the Subject of any Command, or induce any obligation of obedience upon any man, by any authority whatsoever, therefore the Attourney in this case, was bound to refuse to execute such a Command, unlesse he had some such evidence or Testimonie as might have warranted him against the parties, and be lyable to make satisfaction if it should prove false, and it is sufficiently knowne to every man, and adjudged in Parliament, that the King can be neither the relator, informer, nor witnesse. If it rest as it is without further satisfaction, no future Parliament can be safe, but that the members may be taken, and destroyed at pleasure, yea, the very principles of government, and Justice will be in danger to be dissolved.

Tumultuous
numbe s.

We doe not conceive that numbers doe make an assembly unlawfull, but when either the end or manner of their Carriage shall be unlawfull. Divers just occasions might draw the Citizens to *Westminster*,

fler, where many publicke and private Petitions, and other Causes were depending in parliament, and why that should be found more faultie in the Citizens, then the resort of great numbers every day in the Terme to the ordinary Courts of Justice we know not; that those Citizens were notoriously provoked and assaulted at *Westminster*, by Colonel *Lunsford*, Captaine *Hide*, with divers others, and by some of the servants of the Archbishop of *Torke* is sufficiently proved. and that afterward they were more violently wounded, and most barbarously mangled with Swords by the Officers and Souldiers neere *White-Hall*, many of them being without weapons, and giving no cause of distast, as is likewise proved by severall testimonies, but of any scandalous or seditious misdemeanours of theirs, that might give his Majestie good cause to suppose his owne person, or those of his Royall Consort, or Children to be in apparent danger, we have had no prooffe ever offered to either House, and if there had beene any complaint of that kind, it is no doubt the Houses would have been as forward to joyne in an order for the suppressing of such Tumults as they were, not long before upon another occasion, when they made an Order to that purpose. Whereas those Officers and Souldiers which committed that violence upon so many of the Citizens at *White-Hall*, were cherisht & fostred in his Majesties house, and when not long after the Common Councel of *London* presented a Petition to his Majestie, for reparation of those injuries; his Majesties Answer was (without hearing the prooffe of the complainants) that if any Citizen were wounded or ill intreated, his Majestie was confidently assured, that it happened by their own evill and corrupt demeanors.

We hope it cannot be thought contrary to the duty and wisdom of a Parliament, if many concurring, and frequently reiterated and renewed advertisements from *Rome*, *Venice*, *Paris*, and other parts, if the sollicitation of the Popes *Nuntio*, and our own discontented fugitives, doe make us jealous and watchfull for the safetie of the State. And we have been very carefull to make our expressions thereof, so easie and so plaine, to the capacity and understanding of the people, that nothing might justly stick with them, with reflection upon the Person of his Majestie. Wherein We appeale to the judgement of any indifferent person, who shall read and peruse our own Words.

We must maintaine the ground of our feares, to be of that moment, that We cannot discharge the trust and duty which lyes upon us, unlesse We doe apply our selves to the use of those meanes, to which the Law hath enabled us in cases of this nature, for the necessary defence of the Kingdome, and as his Majestie doth graciously declare, the Law shall be the Measure of his power. so doe We most heartily professe, that We shall alwayes make it the rule of our obedience.

Prudent omissions in the Answer.

The next point of our Declaration was with much caution artificially passed

over

over by him who drew his Majesties Answer, it being indeed the foundation of all our misery, and his Majesties trouble, that he is pleased to heare generall taxes upon his Parliament, without any particular charge to which they may give satisfaction, and that he hath often conceived displeasure against particular persons upon mis-information, and although those informations have been clearly proved to be false, yet he would never bring the accusers to question; which layeth an impossibility upon honest men of clearing themselves, and gives encouragement unto false and unworthy persons to trouble him with untrue and groundlesse informations. Three particulars we mentioned in our Declaration, which the Penner of that Answer had good cause to omit: the words supposed to be spoken at *Kensington*, the pretended Articles against the Queen, and the groundlesse accusation of the six Members of the Parliament, there being nothing to be said in defence or deniall of any of them.

Concerning his Majesties desire to joyne with his Parliament, and with his faithfull Subjects in defence of Religion, and publick good of the Kingdome; we doubt not but he will doe it fully when evill Counsellours shall be removed from about him, and untill that be, as we shewed before of words, so must we also say of Lawes, that they cannot secure us; witnesse the Petition of Right, which was followed with such an inundation of illegall taxes, that we had just cause to thinke that the payment of eight hundred and twenty thousand pounds was an easie burden to the Common-wealth in exchange of them, and we cannot but justly thinke that if there be a continuance of such ill Counsellours and favour to them, they will by some wicked device or other, make the Bill for the Trienniall Parliament, and those other excellent Lawes mentioned in his Majesties Declaration, of lesse value then words.

That excellent Bill for the continuance of this Parliament was so necessary, that without it we could not have raised so great sums of money for the service of his Majestie and the Common-wealth as we have done, and without which the ruine and destruction of the Kingdome must needs have followed. And we are resolved, the gracious favour of his Majesty expressed in that Bill, and the advantage and security which thereby we have from being dissolved, shall not encourage us to doe any thing, which otherwise had not been fit to have been done. And we are ready to make it good before all the world, that although his Majestie hath passed many Bills very advantagious for the Subject, yet in none of them have we bereaved his Majesty, of any just, necessary, or profitable Prerogative of the Crowne.

We so earnestly desire his Majesties returne to *London*, that upon it, we conceive, depends the very safety and being of both his Kingdomes. And therefore we must protest, that as for the time past, neither the government of *London*, nor any Lawes of the Land, have lost their life and force for his security; So for the

future, we shall be ready to doe or say any thing that may stand with the duty or honour of a Parliament, which may raise a mutuall confidence betwixt his Majesty and us, as we do wish, and as the affaires of the Kingdome do require.

Thus farre the Answer to that which is called his Majesties Declaration hath led us, now we come to that which is Intituled his Majesties Answer to the Petition of both Houses, presented to him at *York* the 26. of *March*, 1642. In the beginning whereof, his Majesty wisheth that our Priviledges on all parts were so stated, that this way of correspondency might be preserved, with that freedom which hath been used of old; we know nothing introduced by us, that gives any impediment hereunto, neither have we affirmed our Priviledges to be broken, when his Majestie denies us any thing, or gives a reason why hee cannot grant it, or that those who advised such deniall, were enemies to the peace of the Kingdome, and favourers of the Irish Rebellion, in which aspersiō, that is turned into a generall assertion, which in our Votes is applyed to a particular case, wherefore we must maintaine our Votes, that those who advised his Majestie to contradict that which in both Houses in the Question concerning the *Militia*, had declared to be Law, and command it should not be obeyed, is a high breach of priviledge, and that those who advised his Majestie to absent himselfe from his Parliament, are enemies to the peace of the Kingdome, and justly to bee suspected to be favourers of the Rebellion in *Ireland*; the reasons of both are evident, because in the first, there is as great a derogation from the trust and authority of Parliament; and in the second, as much advantage to the proceedings and hopes of the Rebels, as may be, and we hold it a very causelesse imputation upon the Parliament, that we have herein any way impeacht, much lesse taken away the freedom of his Majesties Vote, which doth not import a liberty for his Majestie to deny any thing, how necessary soever for the preservation of the Kingdom, much lesse a Licence to evill Counsellours, to advise any thing, though never so destructive to his Majestie, and his People.

By the Message of the twentieth of *Januarie*: his Majestie did propound to both houses of Parliament, that they would with all speed fall into a serious consideration of all those particulars which they thought necessary as well for the upholding and maintaining his Majesties just and Regall authority, and for the settling his Revenue, as for the present and future establishing our Priviledges, the free and quiet enjoying our estates, the Liberties of our Persons, the securitie of the true Religion professed in the Church of *England*, and the settling of Ceremonies in such a manner as may take away all just offence, and to digest it into one entire body.

To that point of upholding and maintaining his Royall authority, Wee say nothing hath beene done to the prejudice of it, that should require any new provision; To the other of settling the Revenue, the Parliament hath no way a-bridged

bridged or disordered his just revenue, but it is true that much wast & confusion of his Majesties estate hath beene made by those evill and unfaithfull Ministers, whom he hath imployed in the managing of it, whereby his owne ordinary expences would have beene disappointed, and the safety of the Kingdome more endangered, if the Parliament had not in some measure provided for his Household, and for some of the Forts, more then they were bound to doe, and they are still willing to settle such a Revenue upon his Majestie, as may make him live Royally, plentifully and safely, but they cannot in wisdom and fidelity to the Common-Wealth, doe this, till hee shall choose such Counsellours and Officers as may order and dispose it to the publicke good, and not apply it to the ruine and destruction of his people, as heretofore it hath beene, but this and the other matters concerning Our selves, being workes of great importance, and full of intricacie, will require so long a time of deliberation, that the Kingdome might be ruined before Wee should effect them. Wherefore We thought it necessary, first to be suitors to his Majestie so to order the Militia, that the Kingdome being secured, Wee might with more ease and safety apply our selves to debate of that Message wherein Wee have beene interrupted by his Majesties denyall of the Ordinance concerning the same, because it would have beene in vaine for Us to labour in other things, and in the meane time to leave our selves naked to the malice of so many enemies, both at home and abroad : yet Wee have not beene altogether negligent of those things which his Majestie is pleased to propound in that message, We have agreed upon a Booke of Rates in a larger Proportion then hath beene granted to any of his Majesties Predecessors, which is a considerable support of his Majesties publicke charge, and have likewise prepared divers Propositions and Bills for preservation of our Religion and Liberties, which We intend shortly to present to his Majestie, and to doe whatsoever is fit for Us, to make up this unpleasant breach betwixt his Majestie and the Parliament.

Whereas divers exceptions are here taken concerning the Militia, first, that his Majestie never denied the thing, but accepted the persons, (except for Corporations) onely that he denyed the way : to which We answer, that that exception takes off *London*, and all other great Townes and Cities, which makes a great part of the Kingdome; and for the way of Ordinance it is antient, more speedy, more easily alterable, and in all these and other respects, more proper and more applicable to the present occasion, then a Bill, which his Majestie calls the only good old way of imposing upon the Subjects. It should seeme that neither his Majesties Royall Predecessors, nor our Ancestors, have heretofore been of that opinion, 37. Ed. 3. We find this Record : the Chauncelour made declaration of the Challenge of the Parliament : the King desires to know the griefes of his Subjects, and to redresse enormities ; The last day of the Parliament the

King demanded of the whole Estates, whether they would have such things as they agreed on, by way of Ordinance or Statute, who answered by way of Ordinance, for that they might amend the same at their pleasures, and so it was.

But his Majestie objects further, that there is somewhat in the Preface, to which he could not consent with Justice, to his honour and innocence, and that thereby he is excluded from any power in the disposing of it : these objections may seeme somewhat, but indeed will appeare nothing, when it shall be considered, that nothing in the Preamble layes any charge upon his Majestie, or in the body of the Ordinance, that excludes his Royall Authority in the disposing or execution of it. But onely it is provided that it should be signified by both Houses of Parliament, as that channell through which it will be best derived, and most certainly, to those ends for which it is intended, and let all the world judge, whether Wee have not reason to insist upon it, that the strength of the Kingdome should rather be ordered according to the direction or advice of the great Councell of the Land, equally intrusted by the King, and by the Kingdome, then that the safety of the King, Parliament, and Kingdome should be left at the devotion of a few unknowne Counsellours, many of them not intrusted at all by the King in any publike way, not at all confided in by the Kingdome.

We wish the danger were not imminent, or not still continuing, but cannot conceive that the long time spent in this debate is evidence sufficient, that there was no such necessity or danger, but a Bill might easily have been prepared, for when many causes doe concur to the danger of a State, the interruption of any one may hinder the execution of the rest, and yet the designe be still kept on foot for better opportunities : who knows whether the ill successe of the Rebels in *Ireland* hath not hindered the insurrection of the Papists here ? whether the preservation of the six Members of the Parliament, falsely accused hath not prevented that plot of the breaking the necke of the Parliament, of which we were informed from *France*, not long before they were accused ? yet since his Majesty hath bin pleased to expresse his pleasure, rather for a Bill then an Ordinance, and that he sent in one for that purpose, we readily entertained it, and with some small and necessarie alterations, speedily passed the same : But contrary to the custome of Parliament, and our expectation grounded upon his Majesties owne invitation of us to that way, and the other reasons manifested in our Declaration, concerning the Militia, of the fifth of May, in stead of his Royall assent, we met with an absolute refusall.

If the matter of these our Votes, 15, and 16 of March, be according to Law, we hope his Majestie will allow the Subjects to be bound by them, because he hath said, he will make the Law the Rule of his Power, and if the question be
whether

whether that be Law which the Lords and Commons have once declared to us so, who shall be the Judge? Not his Majestie, for the King judgeth not of matters of Law, but by his Courts, and his Courts, though sitting by his authority, expect not his Assent in matters of Law: not any other Courts, for they cannot Judge in that case because they are Inferiour: no appeale lying to them from Parliament, the Judgement whereof is in the eye of the Law, the Kings Judgement in his highest Court; though the King in his person be neither present nor assenting thereunto.

The Votes at which his Majesty takes exceptions are these.

I. *That the Kings absence so farre remote from the Parliament is not onely an obstruction, but may be a destruction to the affaires of Ireland.*

II. *That when the Lords and Commons shall declare what the Law of the Land is, to have this not onely questioned, and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the priviledge of Parliament.*

III. *That those persons that advised his Majestie to absent himselfe from the Parliament, are enemies to the Peace of the Kingdome, and justly may be suspected to be favourers of the Rebellion in Ireland.*

That the Kingdome hath been of late, and still is in so eminent danger both from enemies abroad, and a Popish and discontented partie at home, that there is an urgent and inevitable necessity of putting his Majesties subjects into a posture of defence, for the safeguard both of his Majesty, and his people.

That the Lords and Commons fully apprehending this danger, and being sensible of their own duty, to provide a sutable prevention, have in severall Petitions addressed themselves to his Majesty, for the ordering and disposing the Militia of the Kingdome, in such a way as was agreed upon by the wisdom of both Houses to be most effectual, and proper for the present exigents of the Kingdome, yet could not obtaine it, but his Majesty did severall times refuse to give his Royall assent thereunto.

That in this case of extreame danger, and his Majesties refusall the Ordinance of Parliament agreed upon by both Houses for the Militia, doth oblige the people, and ought to be obeyed by the fundamentall Lawes of this Kingdome.

By all which it doth appeare, that there is no Colour of this Taxe, that wee goe about to introduce a new Law, much lesse to exercise an arbitrary power, but indeed to prevent it, for this Law is as old as the Kingdome. That the Kingdome must not be without a meanes to preserve it selfe, which that it may be done without confusion, this Nation hath intrusted certaine hands with a Power to provide in an orderly and regular way, for the good and safetie of the whole, which power, by the Constitution of this Kingdome, is in his Majesty, and in his Parliament together: yet since the Prince being but one person,

is more subject to accidents of nature and chance, whereby the Common-Wealth may be deprived of the fruit of that trust which was in part reposed in him, in cases of such necessity, that the Kingdome may not be enforced presently to returne to its first principles, and every man left to doe what is aright in his owne eyes, without either guide or rule. The wisdom of this State hath intrusted the Houses of Parliament with a power to supply what shall bee wanting on the part of the Prince, as is evident by the constant custome and practice thereof, in cases of nonage, naturall disability, and captivity, and the like reason doth and must hold for the exercise of the same power in such cases, where the Royall trust cannot be, or is not discharged, and that the Kingdome runs an evident and imminent danger thereby; which danger, having beene declared by the Lords and Commons in Parliament, there needs not the authority of any person or Court to affirme; nor is it in the power of any person or Court to revoke that judgement.

Wee know the King hath wayes enough in his ordinary Courts of justice to punish such seditious Pamphlets and Sermons as are any way prejudiciall to his Rights, Honour, and authority; and if any of them have beene so insolently violated and vilified, his Majesties owne Councell and Officers have beene too blame, and not the Parliament; we never did restraine any proceedings of that kind in other Courts, nor refuse any fit complaint to us. The Protestation Protested, was referred by the Commons House to a Committee, and the Author being not produced, the Printer committed to prison, and the Booke voted by that Committee, to be burnt; but Sir *Edward Deering* who was to make that report of the Votes of that Committee, neglected to make it; The Apprentices Protestation was never complained of, but the other seditious Pamphlet, [To your Tents, oh *Israel*] was once questioned, and the full prosecution of it was not interrupted by any fault of either House, whose forwardnesse to doe his Majestie all right therein, may plainly appeare, in that a Committee of Lords and Commons was purposely appointed to take such informations as the Kings Councell should present, concerning seditious words, practices or tumults, Pamphlets or Sermons, tending to the derogation of his Majesties Rights, or Prerogative; and his Councell were enjoyed by that Committee, to enquire and present them, who severall times met thereupon, and received this Answer and Declaration from the Kings Councell, that they knew of no such thing as yet.

If his Majesty had used the service of such a one in penning this Answer, who understood the Lawes, and government of this Kingdome, hee would not have thought it legally in his power to deny his Parliament a guard, when they stood in need of it, since every ordinary Court hath it; neither would his Majesty, if he had beene well informed of the Lawes, have refused a guard as they

desired

desired, it being in the power of inferiour Courts to command their owne guard, neither would he have imposed upon them such a guard under a Commander, which they could not confide in; which is clearly against the Priviledges of Parliament, and of which they found very dangerous effects, and therefore desired to have it discharged; but such a guard, and so commanded, as the Houses of Parliament desired, they could never obtain of his Majestie, and the placing of a guard about them contrary to their desire, was not to grant a guard to them, but in effect to set one upon them: All which considered, we beleeve in the judgements of any indifferent persons, it will not be thought strange if there were a more then ordinary resort of people at *Westminster*, of such as came willingly of their own accord to be witnesses and helpers of the safetie of them whom all his Majesties good Subjects are bound to defend from violence and danger; or that such a concourse as this, they carrying themselves quietly and peaceably (as they did) ought in his Majesties apprehension, or can in the interpretation of the Law, be held tumultuary and seditious.

When his Majestie in that question of violation of the Lawes had expressed the observation of them indefinitely without any limitation of time, although we never said or thought any thing that might looke like a reproach to his Majestie, yet wee had reason to remember that it had been otherwise; lest wee should seeme to desert our former Complaints and proceedings thereupon; as his Majestie doth seeme but little to like or approve of them: for although he doth acknowledge here that great mischief that grew by that arbitrary power then complained of, yet such are continually preferred and countenanced as were friends or favourers or related unto the chiefe Authors and Actors of that Arbitrary Power, and of those false colours, suggestions of imminent danger, and necessity, whereby they did make it plausible unto his Majestie; and on the other side, such as did appeare against them, are daily discountenanced and disgraced: which whilst it shal be so, we have no reason to judge the disease to be yet killed and dead at root; and therefore no reason to bury it in oblivion. And whilst we behold the Spawnes of those mischievous Principles, cherisht and fostered in that new generation of Counsellours, friends and Abettors of the former, or at least concurring with them in their malignancie against the proceedings of this Parliament, we cannot think our selves secure from the like or a worse danger.

And here the Penner of this Answer bestowes an admonition upon the Parliament, bidding us take heed we fall not upon the same error, upon the same suggestions: but he might have well spared this, till he could have shewed wherein we had exercised any power otherwise then by the rule of the Law, or could have found a more authentique or a higher Judge in matters of Law, then the high Court of Parliament.

It is declared in his Majesties name, that he is resolved to keepe the rule him-
selfe,

self, and to his power to require the same of all others: we must needs acknowledge that such a resolution is like to bring much happinesse and blessing to His Majesty, and all His Kingdomes, yet with humility we must confesse, wee have not the fruit of it, in that Case of my Lord *Kimbolton*, and the other five Members accused contrary to Law, both Common Law, and the Statute Law, and yet remaineth unsatisfied; which Case was remembred in our Declaration as a strange and unheard of violation of our Lawes: But the Penner of this Answer thought fit to passe it over, hoping that many would read his Majesties Answer, which hath been so carefully dispersed, which would not read our Declaration.

Whereas after our ample thanks, and acknowledgement of his Majesties favour in passing many good Bills, we said, that truth and necessity inforced us to adde this, that in or about the time of passing those Bills, some designe or other hath bin a foot; which if it had taken effect, would not onely have deprived us of the fruit of those Bills, but would have reduced us to a worse condition of confusion, then that wherein the Parliament found us. It is now told us that the King must be most sensible of what wee cast upon him, for requitall of those good Bills, whereas out of our usuall Tenderneffe of His Majesties Honour, we did not mention him at all: but so injurious are those wicked Counsellours to the Name and Honour of their Master and Sovereigne, that as much as they can they lay their owne infamy and guilt upon his shoulders.

Here God also is called to witness His Majesties upright intentions at the passing of those Lawes; this we will not question, neither did we give any occasion of such a solemne asseveration as this is. The Devill is likewise desirous to prove there was any Designe with His Majesties knowledge or privy; This might well have bin spared, for we spake nothing of His Majesty; But since we are so far taxed as to have it affirmed that wee laid a notorious and false imputation upon His Majesty, we have thought it necessary for the just defence of our own innocency, to cause the Oaths and Examinations which have bin taken concerning the Designe to be published in a full Narration, for satisfaction of all His Majesties Subjects, out of which we shall now offer some few particulars, whereby the world may judge whether we could have proceeded with more tenderneffe toward His Majesty then we have done. Master *Goring* confesseth, that the King first asked him whether hee were ingaged in any Cabal concerning the Army, and commanded him to joyne with Master *Percy* and Master *Iermyn*, and some other whom they should finde within at Master *Percy's* Chamber, where they took the Oath of secrecy, and then debated of a Designe propounded by Master *Iermyn* to secure the Tower, and to consider of bringing up the Army to *London*, and Captaine *Legg* confessed, he had received the draught of a Petition in the Kings presence, and His Majesty acknowledged

eth it was from his own hand; and whoſoever reads the ſumme of that Petition, as it was proved by the Teſtimony of Sir *Jacob Afbley*, Sir *John Conyers*, and Captaine *Legg*, will eaſily perceive ſome points in it apt to beget in them ſome diſcontent againſt the Parliament. And can any man beleevethere was no Deſigne in the accusation of the Lord *Kimbolton* and the reſt, in which His Maſteſty doth avow himſelf to be both a Commander and an Actor? theſe things being ſo, it will eaſily appeare to be as much againſt the rules of Prudence, that the Penner of this Answer ſhould entangle His Maſteſty in this unneceſſary Apology; as it is againſt the rules of Juſtice, that any reparation from us ſhould be either yeilded, or demanded.

It is profeſſed in His Maſteſties name, that he is truly ſenſible of the burthens of His people, which makes us hope that hee will take that courſe which will be moſt effectually to eaſe them of theſe burthens, that is, to joyne with his Parliament in preſerving the peace of the Kingdome, which by his abſence from them hath been much endangered, and which by hindring the voluntarie Adventures for the recovery of *Ireland*, and diſabling the Subjects to diſcharge the great tax laid upon them, is like to make the warre much more heavy to the Kingdome. And for His Maſteſties wants, the Parliament have been no cauſe of them, we have not diminifhed His juſt Revenue, but have much eaſed His publicke Charge, and ſomewhat his private. And we ſhall be ready, in a Parliamentary way, to ſettle His Revenue in ſuch an Honourable proportion, as may be answerable to both, when he ſhall put himſelfe into ſuch a poſture of Government, that His Subjects may be ſecure to enjoy His juſt protection, for their Religion, Laws, and Liberties.

We never reſuſed His Maſteſties gracious offer of a free and General Pardon, onely we ſaid it could be no ſecurity to our preſent Feares and Jealouſies: And wee gave a reaſon for it, that thoſe feares did not ariſe out of any guilt of our owne Actions, but out of the evill Deſignes and attempts of others; and wee leave it to the world to judge, whether we herein have deſerved to heavy a tax and Exclamation (that it was a ſtrange world when Princes proffered favours are counted reproaches; ſuch are the words of His Maſteſties Answer) who doe eſteeme that offer as an Act of Princely grace and bounty, which ſince this Parliament began wee have humbly deſired wee might obtaine, and doe ſtill hold it very neceſſary and advantageous for the generality of the Subject, upon whom theſe Taxes and Subſidies lye heavielt, but we ſee upon every occaſion how unhappy we are in His Maſteſties miſapprehenſions of our words and actions.

We are fully of the Kings minde, as it is here declared, that he may reſt ſo ſecure of the affections of His Subjects, that he ſhould not ſtand in need of For-

ough force to preserve him from oppression, and are confident that he shall never want an abundant evidence of the good wishes and assistance of His whole Kingdome, especially if he shall be pleased to hold to that gracious Resolution of building upon that sure foundation, the Law of the Land : but why His Majesty should take it ill, that wee having received informations so deeply concerning the safety of the Kingdome, and should thinke them fit to be considered of, we cannot conceive ; for although the name of the person was unknowne, yet that which was more substantiall to the probability of the Report was knowne (that is) that he was Servant to the Lord *Digby*, who in his presumptuous Letter to the Queens Majesty, and other Letters to Sir *Lewis Dives*, had intimated some wicked Proposition futable to that Information, but that this should require reparation, we hold it as farre from Justice as it is from truth, that we have mixt any malice with these rumours, thereby to feed the Feares and Jealousies of the People.

It is affirmed his Majestie is driven (but not by us, yet) from us, perchance hereafter if there be opportunity of gaining more credit, there will not be wanting who will suggest unto his Majestie, that it is done by us. And if his Majesty were driven from us, we hope it was not by his owne feares, but by the feares of the *L. Digby* and his Retinue of Cavaliers and that no feares of any Tumultuary violence, but of their just punishment for their manifold insolence and intended violence against the Parliament. And this is expressed by the *L. Digby* himselfe, when he told those Cavaliers that the principall cause of his Majesties going out of Town was to save them from being trampled in the dirt; but of his Majesties person there was no cause of feare in the greatest heat of the peoples indignation, after the accusation and his Majesties violent comming to the House, there was no shew of any evill intention against his Regall Person, of which there can be no better evidence then this, that hee came the next day without a Guard into the City where he heard nothing but Prayers and Petitions, no threatnings or irreverent speeches, that might give him any just occasion of feare, that wee have heard of, or that his Majesty exprest ; for he stayed neere a weeke after *White-hall*, in a secure and peaceable condition, whereby we are induced to believe that there is no difficulty nor doubt at all, but his Majesties residence neere *London*, may be as safe as in any part of the Kingdome : Wee are most assured of the faithfulness of the City and Suburbs ; And for our selves we shall quicken the vigour of the Lawes, the industrie of the Magistrate, the authority of Parliament for the suppressing of all tumultuary insolencies whatsoever, and for the vindicating of His Honour from all insupportable and insolent scandals, if any such shall be found to be raised upon him, as are mentioned in this Answer, and therefore we thinke it altogether unnecessary and exceeding incon-

inconvenient to adjourne the Parliament to any other place.

Where the desire of a good understanding betwixt the King and the Parliament, is on both parts so earnest as is here profest of His Majestie to be in him, and we have sufficiently testified to be in our selves, it seemes strange we should be so long asunder, it can be nothing else but evill and malicious Countsell, misrepresenting our carriage to him, and in disposing his favour to us: and as it shall be farre from us to take any advantage of his Majesties supposed straits, as to desire, much lesse to compell him to that, which his Honour or interest may render unpleasant and grievous to him, so we hope that His Majesty will not make his owne understanding or reason the rule of his Government, but will suffer himselfe to be assisted with a wise and prudent Councell, that may deale faithfully betwixt him and his people; And that he will remember that his resolutions do concerne Kingdomes, and therefore ought not to be moulded by his owne, much lesse by any other private person, which is not alike proportionable to so great a trust, and therefore wee still desire and hope that His Majesty will not be guided by his own understanding, or to think those Courses straits and necessities, to which he shall be advised by the Wisdome of both Houses of Parliament; which are the Eyes in this Politique Body, whereby his Majesty is by the Constitution of this Kingdom to discern the differences of those things which concern the publike peace and safety thereof.

Wee have given His Majesty no cause to say, that we doe meanly value the discharge of His publick duty, whatsoever Acts of Grace or Justice have beene done, they proceeded from His Majesty by the advice and Councell of His Parliament; yet we have and shall alwayes answer them with constant gratitude, obedience, and affection; and although many things have been done since this Parliament of another nature, yet we shall not cease to desire the continued protection of Almighty God upon His Majesty. And most humbly Petition him to dist from him all those evill and contrary Councels which have in many particulars formerly mentioned, much detracted from the Honour of His Government, the happinesse of His owne Estate, and prosperity of this People.

And having past so many dangers from abroad, so many Conspiracies at home, and brought on the publike worke so far, through the greatest difficulties that ever stood in opposition to a Parliament, to such a degree of successe; that nothing seemes to be left in our way able to hinder the full accomplishment of our desires and endeavours for the publick good; unlesse God in his justice, doe send such a grievous Curse upon us, as to turne the strength of the Kingdome against it selfe, and to effect that by their owne folly and credulity, which the Power and Subtilty of their and our enemies could not attaine, That is. to divide the people from the Parliament, and to make them serviceable to the ends

and aymes of those, who would destroy them. Therefore wee desire the Kingdome to take notice of this last most desperate and mischievous Plot of the malignant party, that is acted and prosecuted in many parts of the Kingdome, under plausible Notions, of stirring them up to a care of preserving the Kings Prerogative, maintaining the Discipline of the Church, upholding and continuing the reverence and solemnity of Gods Service, encouraging of Learning, And upon these grounds, divers mutinous Petitions have been framed in *London, Kent,* and other Counties, and sundry of His Majesties Subjects have bin solicited to declare themselves for the King against the Parliament : and many false and foule aspersions have bin cast upon our proceedings, as if we had bin not onely negligent, but averse in these points: whereas we desire nothing more, then to maintaine the purity and power of Religion, and to Honour the King in all His just Prerogatives : and for encouragement and advancement of Piety and Learning, we have very earnestly endeavoured, and still doe to the uttermost of our Power, that all Parishes may have learned, pious, and sufficient Preachers, and all such Preachers competent Livings.

Many other Bills and Propositions are in preparation for the Kings Profit and Honour, the peoples safety and prosperity, In the proceedings whereof, we are much hindred by His Majesties absence from the Parliament, which is altogether contrary to the use of his Predecessors, and the Priviledges of Parliament, whereby our time is consumed by a multitude of unnecessary Messiges, and our innocency wounded by causlesse and sharpe Invectives. Yet wee doubt not, but we shall overcome all this at last, if the people suffer not themselves to be deluded with false and specious shewes, and so drawne to betray us to their owne undoing, who have ever been willing to hazard the undoing of our selves, that they might not be betray'd by our neglect of the trust reposed in us, but if it were possible, they should prevaile herein, yet we would not faile through Gods grace still to persist in our duties, and to looke beyond our owne Lives, Estates and advantages, as those who thinke nothing worth the enjoying without the Liberty, Peace, and Safety of the Kingdome : nor any thing too good to be hazarded in discharge of our Consciences, for the obtaining of it ; And shall alwayes repose our selves upon the Protection of Almighty God ; which we are confident shall never be wanting to us (while we seeke his glory) as we have found it hitherto, wonderfully going along with us in all our proceeding.

Die Iovis 19 Maii, 1642.

IT is this day ordered by the Lords and Commons in Parliament assembled, That this Declaration, together with the Depositions, shall be forthwith Printed and published.

John Brown Cler. Parl.

It

IT is his Majesties pleasure that you forthwith Print in very good Paper, and send unto me for his Majesties Service, forty Copies of the Proclamation inclosed, leaving convenient space for his Majesty to signe above, and to affix the Privy Signet underneath: And his Majesties expresse Command is, that you Print not above the said number of forty Copies, and forbear to make any further publication of them, till his pleasure be further signified; for which this shall be your Warrant.

White-hall 2. January, 1741.

Edw. Nicholas.

For His Majesties Printer.

The Examination of Colonell Goring, taken June 19. 1641.

To the first Interrogatory.

HE saith, That in *Lent* last (as he remembers) about the middle of it, Sir *John Suckling* came to him on *Sunday* morning as hee was in his bed: And this Examinee conceiving hee had come to him about some businesse of money that was betweene them; and thereupon falling upon that Discourse, Sir *John Suckling* told him hee was then come about another businesse, which was to acquaint him, That there was a purpose of bringing the Army to *London*, And that my Lord of *Newcastle* was to be Generall, and hee, this Examinee, Lieutenent Generall, if hee would accept of it. And further said, That hee should heare more of this businesse at Court: to which this Examinee answered only this, Well, then I will goe to the Court; which was all that passed betweene them at that time, to the best of this Examinees remembrance.

To the second, He cannot depose.

*To the third, He saith, That as he was comming in his Coach in the street, out of the Covent-garden into Saint Martins Lane: he met there Master Henry Iermyn, who was likewise in a Coach; and seeing this Examinee, sent his Footman to him, desiring him to follow him, because he would speake with him; which this Examinee did: And Master Iermyn going a little further, alighted, and went into a house (to which house, as this Examinee was but yesterday informed, Sir *John Suckling* did then usually resort) and thither this Examinee followed him; and comming after him to the top of the Stayres, M. Iermyn said to him, He had somewhat to say to him concerning the Army, but that this was no fit place to speak of it, and desired him to meet him that evening at the Court, on the Queens side; which this Examinee accordingly did, and meeting*

ing Master *Iermyn* in the Queens drawing Chamber, he was there told by him, That the Queen would speak with him, and thereupon Master *Iermyn* brought him into the Queens Bed-chamber: But before this Examinee could enter into any discourse with the Queen, the King came in, and then this Examinee did withdraw, and went away for that time, but returned again the same night, and met Master *Iermyn* againe on the Queenes side, who told him that he must necessarily meet with some Officers of the Army, to heare some Propositions concerning the Army. The next day, being *Monday*, this Examinee came againe to the Court in the afternoone, and went into the Queenes drawing Chamber, where Her Majesty then was, who was pleased to tell him that the King would speake with him, and bade him repaire to the Roome within the Gallery, into which Room the King soone after came; and His Majestie asked him if he was engaged in any Cabale concerning the Army: to which he answered, That hee was not: whereupon His Majestie replied, I command you then to joyne your selfe with *Percy*, and some others whom you will find with him. And His Majesty likewise said, I have a desire to put my Army into a good posture, and am advised unto it by my Lord of *Bristoll*: which was the effect of what passed between the King and this Examinee at that time. This Examinee meeting afterwards with Master *Iermyn*, Master *Iermyn* told him that they were to meet that evening at nine of the clocke with Master *Percy*, and some others, at Master *Percies* Chamber; and accordingly Master *Iermyn* and he went thither together, and there found Master *Percy* himselfe, Master *Wilmot*, Master *Ashburnham*, Master *Pollard*, Master *Oneal*, and Sir *Iohn Bartley*; Master *Percy* then in the first place tendered an Oath to this Examinee and Master *Iermyn*, the rest saying they had taken that Oath already: this Oath was prepared in writing, and was to this effect, *That they should neither directly nor indirectly disclose any thing of that which should be then said unto them, nor thinke themselves absolved from the secrecy enjoyed by this Oath, by any other Oath which should be afterwards taken by them.* They having taken the Oath, Master *Percy* declared, That they were resolved not to admit of any body else into their Councils: And Master *Iermyn* and this Examinee moved that Sir *Iohn Suckling* might be received amongst them; which being opposed by the rest, after some debate, it was laid aside: And some speech there was of Sir *Iohn Suckling* his being employed in the Armie; but how it was agreed upon, this Examinee doth not remember.

After this, Master *Percy* made his Propositions, which he read out of a paper, which were to this effect, That the Army should presently be put into a posture to serve the King, and then should send up a Declaration to the Parliament, of these particulars, *viz.* That nothing should be done in Parliament

contrary to any former Act of Parliament, which was explained, That Bishops should be maintained in their Votes and Functions, And the Kings Revenue be established. From these Propositions none of Master *Percies* Company did declare themselves to dissent. Then came into consideration, if the Army should not immediately be brought to *London*, which, as this Examinee remembers, was first propounded by Master *Iermyn*, and also the making sure of the Tower. These things this Examinee did urge, to shew the vanity and danger of the other Propositions, without undertaking this. In the conclusion, this Examinee did protest against his having any thing to do in either designe; for the proof of which, he appeals to the consciences of them that were present, and so parted with them. About this business this Examinee saith, That they had two meetings, and cannot distinguish what passed at the one, and what at the other, but the result of all was as hee formerly declared: further then which he cannot depose.

To the fourth Inter. He can say no more then he hath already said.

To the fifth Inter. Hee saith, That the very day that Sir *Iohn Suckling* first moved this unto him, he gave some touch of it to my Lord *Dungarvan* and the day after his second meeting at Master *Percies* Chamber, hee discovered it to my Lord of *Newport*, and desired him to bring him to some other Lords, such as might be likeliest to prevent all mischief: And accordingly the next day my Lord of *Newport* brought him to my Lord of *Bedford*, my Lord *Say*, and my Lord *Mandevil*, to whom he imparted the mayn of the business, but not the particulars in regard of his Oath; and desired them to make use of it as they should see cause, for the safety of the Common-wealth, but not to produce him, nor name any person, except there were a necessity for it. He further saith, That he did at the same time make a Protestation unto those Lords, of his fidelity unto the Common-wealth, and of his readinesse to run all hazards for it.

George Goring.

Master Percies Letter written to the Earle of Northumberland.

June 14, 1641.

WHat with my own innocency and the violence I heare is against me, I find my self much distracted, I will not ask your counsell, because it may bring prejudice upon you; but I will with all faithfulness and truth tell you what my part hath bin, that at least I may be cleared by you whatsover comes of me.

When there was 50000 pound designed by the Parliament for the *English Army*, there was as I take it a sudden demand made by the *Scots* at the same time of 25000 pound, of which there was but 15000 pound ready, this they pressed with so much necessity as the Parliament after an Order made, did thinke it fit for them to deduct 10000 pound out of the fifty formerly granted, upon which, the Souldiers in our house were more scandalized amongst which *Pearce* one, and sitting by *Wilmet* and *Ashburnham*, *Wilmet* stood up and told them, if such papers as that of the *Scots* would procure moneys, hee doubted not but the Officers of the *English Army* might easily doe the like; but the first Order was reversed notwithstanding, and the 10000 pound given to the *Scots*; this was the cause of many discourfes of dislike amongst us, and came to this purpose, that they were disoblged by the Parliament, and not by the King; this being said often one to another, we did resolve that is, *Wilmet*, *Ashburnham*, *Pearce*, *Oneale*, and my selfe, to make some expresseion of serving the King in all things he would command us, that were honourable for him and us, being likewise agreeable to the fundamentall Lawes of the Kingdome; that so farre wee should live and die with him. This was agreed upon by us, not having any communication with others, that I am coupled now withall; and further, by their joyn consent I was to tell His Majesty thus much from them; but withall I was to order the matter so, as that the King might apprehend this as a great service done unto him, at this time when his affairs were in so ill a condition, and they were most confident that they could ingage the whole Army thus far; but further they would undertake nothing because they would neither infringe the liberties of the Subject, or destroy the Lawes, to which I and every one consented; and having their sence, I drew the Heads up in a paper, to which they all approved when I read it; and then we did by an Oath promise to one another to be constant and secret in all this, and did all of us take that Oath together. Well, Sirs, I must now be informed what your particular desires are, that so I may be the better able to serve you, which they were pleased to do, and I did very faithfully serve them therein, as far as I could: this is the truth, and all the truth upon my soul. In particular discourfes after that, wee did fall upon the petitioning the King and Parliament for money, there being so great Arrears due to us, and so much delays made in the procuring of them, but that was never done,

The preserving of Bishops Functions and Votes.

The not disbanding of the *Irish Army*, untill the *Scots* were disbanded too.

The endeavouring to settle his Revenue to that proportion it was formerly, and it was resolved by us all, if the King should require our assistance in the

things, that as far as we could, wee might contribute thereunto without breaking the Laws of the Kingdom, and in case the King should deny these things being put to them, we would not fly from him.

All these persons did act and concur in this as well as I. This being all imparted to the King by me from them, I perceived he had bin treated with by others concerning something of our Army, which did not agree with what we proposed, but enclined a way more high and sharp, not having limits either of Honour or Law. I told the King he might be pleased to consider with himself, which way it was fit for him to hearken unto. For us, we were resolved not to depart from our grounds, and if he employed others wee should not be displeased whosoever they were : but the particulars of their designe, or the persons, we desired not to know, though it was no hard matter to guesse at them; in the end I believe the dangers of the one, and the justice of the other, made the King tell me he would leave all thoughts of other propositions but ours, as things not practicable, but desired notwithstanding that *Goring* and *Iermyn*, who were acquainted with the other proceedings, should be admitted amongst us : I told him, I thought the other Gentlemen would never consent to it, but I would propose it; which I did, and wee were all much against it; but the King did presse it so much, as at the last, it was consented unto, and *Goring* and *Iermyn* came to my chamber, there I was appointed to tell them, after they had sworn to secrecy, what wee had proposed, which I did : but before I goe on to the debate of the wayes I must tel you, M. *Iermyn* and *Goring* were very earnest *Suckling* should be admitted, which we did all decline; and I was desired by all our men to be resolute in it, which I was, and gave many Reasons; whereupon I remember Master *Goring* made answer, hee was so ingaged with *Suckling*, he could not go or do any thing without him. Yet in the end, so that we would not oppose *Suckling* his being imployed in the Army, that for his meeting with us they were contented to passe it by. Then we took up again the wayes were proposed, which took a great debate, and theirs (I will say) differed from ours in violence, and height, which we all protested against and parted, disagreeing totally; yet remitting it to be spoken of by me, and *Iermyn*, to the King, which we both did. And the King constant to his former resolution told him, that all those wayes were vain and foolish, and would think of them no more. I omitted one thing of Master *Goring*, he desired to know, how the chief Commanders were to be disposed of, for if he had not a condition worthy of him, hee would not go along with us: wee made answer that nobody had thought of that, we intending if we were sent down, to go all in the same capacity wee were in; he did not like that by no means, and upon that did work so by M. *Chidley*, that there was a Letter sent by some of the Commanders to make him

Lieutenant Generall : and when he had ordered this matter at *London*, and *M. Chidley* had his Instructions, then did he go to *Portsmouth* pretending to be absent when this was a working: we all desired my Lord of *Essex* or my Lord of *Holland*, and they (if there were a Generall) *Newcastle*. They were pleased to give out a report I should be Generall of the Horse; but I protest, neither to the King or any else did I ever so much as think of it: my Lord of *Holland* was made Generall, and so all things were laid aside: and this is the truth, and all the truth I know of all these proceedings; and this I do and will protest upon my faith; and *Wilmot*, *Ashburnham*, and *Oneal* have at severall times confessed and sworn, I never said any thing in this businesse they did not every one agree unto, and would justifie. This Relation I send you, rather to inform you of the truth of the matter, that you may know the better how to do me good: But I should think my self very unhappy to be made a betrayer of any body; what concerned the Tower or any thing else I never meddled withall, nor never spoke with *Goring* but that night before them all; and I said nothing but what was consented unto by all my party. I never spoke one word to *Suckling*, *Carnarvan*, *Davenant*, or other creature: mee thinks if my friends and kindred knew the truth and justice of this matter, it were no hard matter to serve me in some measure.

Di: Martis 10, Maii, 1641.

*The Examination of Captain James Chudleigh.
To the first Interrogatory, and to the second;*

THis Deponent saith, That about *March* and *Aprill* last hee was at *Burrowbridge*, where divers Officers and Commanders of the Army met, to whom he used some speeches concerning the Parliament, that hee saw no probability that the Army would be suddenly paid by the *Parl.* because they had promised so much to the King, and to the *Scots*, as well as to the Army; but that the King did commiserate their case, and said, That if they would be faithfull to him, he would pawn his Jewels rather then they should be unpaid; and saith further, That he knows of such a Letter sent by the Army to my Lord of *Northumberland*, to be shewed to the Parliament; and that he told them at that meeting, that the Parliament was much displeased with that Letter, and that those who had subscribed it should be sent for up particularly that my Lord of *Essex*; and my Lord of *Newport* had expressed much dislike of that Letter, and of them who had sent it, and said, that they had forfeited their necks: which he had from *Sir John Suckling*, *Master Davenant*, and (as he conceives) from *Serjeant Major Willis*: And this hee declared to those Officers as giving them

an account of his journey, and the service in which they had imployed him.

To the third, He saith he hath answered before.

To the fourth, That Serjeant Major *Willis* told him upon the way, as they were in their journey down into the North, that Colonell *Goring* was a brave Gentleman, and fit to command the Army, and that the King had a good inclination to him, that he should be Lievttenant Generall; and saith further, that before he came out of *London*, Sir *Iohn Suckling* had likewise highly commended him, and said he was fitter to command in chiefe, then any man kee knew, and that the Army was not now considerable, being without a head, and indeed was but a party (Colonell *Goring* being away) who commanded a Brigado, and that they did undiscreeuly to shew their teeth except they could bite; which the said Sir *Iohn Suckling* wished him to declare unto the Army, saying, He could not do a better service to the Officers who had imployed him, then to let them know it, whereupon he did acquaint them with it accordingly.

To the fifth, That Sir *Iohn Suckling* brought him into some roome of the Queens side at *White Hall* where Master *Iermyn* and he had private conference together, and oftentimes looked towards this Deponent: Sir *Iohn Suckling* afterwards told him, that the King would be pleased if the Army would receive Colonell *Goring* to be their Lievttenant Generall, and said that M. *Henry Iermyn* said so.

To the sixth, That M. *Davenant* told him, that things were not here as they were apprehended in the Army, for that the Parliament was so well affected to the *Scots*, as that there was no likelihood the Army should have satisfaction so soon as they expected it.

To the seventh, That when hee brought the Letter from the Army, hee met with Master *Davenant*, who told him it was a matter of greater consequence then he imagined, and thereupon brought him to Master *Henry Iermyn*, and Master *Iermyn* told him hee heard hee brought such a Letter, and asked to see a Copy of it, which this Deponent did shew unto him, and Master *Iermyn*, asked if he might not shew it to the Queen, and offered to bring this Deponent to her, which hee excused himselfe of lest hee should have anticipated my Lord Generall from shewing the Letter first himselfe.

To the eighth, That after he had brought up that Letter, hee staid some 8 or 9 days in *London*, before he returned down to the Army.

To the ninth, That Serjeant Major *Willis* told him most of the Noble Gentlemen in *England* would shew themselves for the Army: And that the *French* that were about *London* would receive Commanders from them, to joyn with them: And besides, that there would a thousand horse likewise be raised to come to their assistance, which horse at last he confessed were to be found by the Clergy.

To the tenth, That Serjeant Major *Willis* said moreover, that the Army would be very well kept together, for that the Prince was to be brought thither, which would confirme their affections : which this Deponent did declare at *Burrow-bridge* unto the Officers, and doth belive *Willis* did the like, and *Willis* told them also, that if my Lord of *Newcastle* was their Generall, he would feast them in *Nottinghamshire*, and would not use them roughly, but that they should be governed by a Councell of War.

To the eleventh, That both Serjeant Major *Willis* and this Deponent, did perswade the Officers at that meeting, to write a Letter to Colonell *Goring*, which was to let him know, that they would heartily imbraice him to be their Lieutenant Generall, if it was His Majesties pleasure to send him down, which Letter was subscribed by Colonell *Fielding* and Colonell *Vavasour*, and divers others ; and was by him brought to *London* upon Monday, where not finding Colonell *Goring*, he delivered it to Sir *John Suckling*, who carried it to the King, and afterwards brought him to kisse the King and Queens hands, and within a day or two returned the Letter to him againe, which Letter this Deponent the Saturday after carried downe himselfe to Colonell *Goring* to *Portsmouth*.

To the twelfth, That there was likewise a Letter written to Master *Endimion Porter*, assigned by Colonell *William Vavasour* and Colonell *Fielding*, which was to this effect, to desire him to inform His Majestie, that the Army was very faithfull to him, and no doubt need be made by his Majestie concerning their proceedings. This Letter Sir *John Suckling* would not have to be delivered but took it himself, for that he said Master *Porter* knew nothing of the Kings intentions.

To the fourteenth, That when he came to *Portsmouth*, Colonell *Goring* shewed him the strength of that place, and told him, that if there should bee any mutiny in *London*, the Queen meant to come down thither for her safety, and that she had sent him down money to fortifie it.

To the fifteenth, That what he learned from Serjeant Major *Willis*, hee got from him by Degrees, as he urged it from him by way of discourse ; and that *Willis*, Sir *John Suckling* : and Mr. *Davenant*, did all of them give him great charge to keep things secret, and to be very carefull to whom he communicated any thing, which he accordingly observed ; for he dealt with the Officers there severally.

James Chudleigh.

This Examination taken in the presence of Us, *Essex. Warwick. P. Howard. W. Howard.*

Die Martis 18. Maii.

The second Examination of Captaine Chudleigh. 1641.

To That at the meeting at Burrowbridge, he declared unto the Officers *the 31.* something out of a paper, which he read, and told them that hee had received it from M. *Iermyn* and that Mr. *Iermyn* had received it from the King. And hee said likewise, that some others about the King were acquainted with it, and named Mr. *Endimion Porter*, to whom he thought the King had declared in this businesse.

To the 34. That Mr. *Iermyn* asked him if hee thought the Army would stick to their Officers, in case the king and Parliament should not agree, or words to that effect.

He saith further, that he had set downe all those things in writing, which hee declared to the Officers at Burrowbridge, and thought to have sent it downe to them; but upon better consideration he wene himselfe and read it to them out of that paper, but severally; and not to them all together. And particularly, that he had read it to Lieutenant Colonell *Ballard* and to Lieutenant Colonell *Lunsford*. That he did not acquaint them all with it, and the reason why he did not, was because he conceived some were of more judgement than others, and fitter to be trusted with matters of secrecie.

*James Chudleigh.**Essex, Warwicke. W. Say and Seale. Howard.**The Examination of Thomas Ballard, Lieutenant Colonell to the Lord Grandison, taken May 18. 1641.*

To That he did meet at Burrowbridge, being sent to by Captain *Chidley*, *the 19.* and none other, but he found there Serjeant Major *Willis* & divers other Officers of the Army: this was sometime in Aprill last as he remembreth.

To the 20. That Mr. *Chidley* did propound to him certaine propositions; which as he affirmed, hee did receive from Mr. *Ferry Iermyn*, and from another great man which he might not name. Captaine *Chidley* further said, that M. *Iermyn* told him that he received those propositions from the King; But *Chidley* told him further, that when he kissed the Kings hand, his Majestie said nothing to him of any such propositions. The first proposition was, That he should not acquaint either Sir *Iacob Ashley*, or Sir *John Coryers*, with any thing of this designe. The second, that if there were occasion, the Army should remove their Quarters into Nottingham-shire, where the Prince and the Earle of New-Castle should meet them with a thousand Horse, and all the French that were in London should bee mounted, and likewise meet them. These propositions were read by Captaine *Chidley*, out of a paper, which hee said he had

Written

written himself, thinking to have sent them downe; but upon better consideration hee brought them downe himselfe. That they likewise should desire, that Colonell *Goring* should be the Lieutenat-Generall to the Army: There was likewise offered a Paper to this effect, as hee was then told, That if the King would send Colonell *Goring* to be Lieutenant-Generall, they would accept of him; which Paper he, this Examinat, refused to read, or to set his hand to it: but heard that divers others signed it. He further saith, that there was no other Paper propounded to him to be signed, nor to any other to his knowledge. Hee further saith, that this was not delivered to the Officers in publique, but severally.

He likewise saith, That presently after Colonell *Vauser* said publicly, that hee never consented to these propositions in his heart, and desired that there might be a meeting immediately, whereupon they agreed upon a meeting at York the Wednesday following, at which meeting they generally concluded not to interresse themselves in any of those designs that had been propounded to them by Captaine *Chidley*: and they presently writ by the Post to Captaine *Chidley* to *London*, that if hee had not delivered the Paper, he should forbear to deliver it.

Thomas Ballard.

The Examination of Captaine Legg, taken Aday the 18. 1641.

To the **H**E saith, That hee heard of a meeting at Burrowbridge, but
 19. *Inter* **H** was not there present, but was present at another meeting at
 York not long after, where he was told that the King was
 not well satisfied with the affections of the Officers to his service; and therefore it was thought fit, to make a Declaration of their readinesse to serve his Majestie; which declaration was accordingly drawne, but not finding any great cause for it, it was after torne. Hee further saith, That the night before the meeting at Burrowbridge, hee spoke with Captaine *Chidley* at York, who perswaded him to goe to Burrowbridge, where he had propositions to impart to the Army; but this Examinee refusing to goe, hee would not acquaint him with them at that time; but told them that divers Lords and Officers of the Army were fallen off from the King, naming the Earle of *Essex*, the Earle of *Newport*, Commissary *Willmott*, Colonell *Asburnham*, and others which this Examinee so much disliked, that they forbore any further discourse.

Will. Legg.

The Examination of Colonell Vavasour, taken the 20 of May, 1642.

That at the meeting at Burrowbridge, Sergeant Major *Willis* and Captaine *Chidley*, or one of them, told the Officers there, that the Parliament had taken great offence at the Letter which they had written up to my Lord of *Northumberland*; and that those who had subscribed it, should be questioned, and that there was small hopes of money from the Parliament for the present.

That the King would take it very well, if he might receive assurance from them, that they would accept of Colonell *Goring* for their Lieutenant Generall, and wished that the Army were united.

When the King had this assurance from them, there should come a Generall that would bring them money, this they said they had good Commission to deliver unto them, having received it from Mr. *Henry Iermyn*, and Sir *John Suckling*; he likewise saith Captaine *Chidley* spake it with more confidence, and Sergeant Major *Willis*, rather as having heard it from others; he further saith there was a Letter written to Colonell *Goring*, for to let him know, if the King would send him downe with a Commission to be Lievtenant Generall, they would willingly receive him, and this Letter was proposed unto them by Captaine *Chidley*, and Sergeant Major *Willis*. There was another Letter written to Master *Endimion Porter*, which as he remembers was to let him know, that though the Army was now commanded by Sir *Jacob Ashley*, yet if that it were his Majesties pleasure to appoint Colonell *Goring* to bee Lievtenant Generall, they were confident the Army would receive him the better, being only subscribed by Colonell *Fielding* and himselfe. And further saith that he heares this Letter was never delivered, for that Sir *John Suckling* told Master *Chidley* that Master *Porter* was a stranger to the businesse. Colonell *Vavasour*.

This Examination taken afore Us, *Mandeville*.

Howard. Ph. Wharton.

Charles R.

Colonell *Goring*, these are to command you to provide with all speed a ship for this Bearer to carry him to *Diepe* or *Calais*, or any other Port of *France*, that the winde may be good for, and if there bee any of my Ships or Pinnaces, ready to goe forth, you shall command the Captaine or Master of such Ship or Pinnace, to receive him and his servants, and carry him into *France*, for which this shall be a warrant to the Captaine or Master you may imploy, and hereof you nor they are not to faile, as you or they will answer the contrary at your perills.

Given at *White-Hall* this 14. of May, 1641.

To our Trusty and Well-beloved Servant
George Goring Governour of *Portsmouth*.

The Examination of Captaine William Legg, taken up on Oath before the Lords Committees upon Saturday the 30. of October, 1642.

To the first Saith, That hee doth know Master Daniel Oneale who was Ser-Interrog. Jeant Major to Sir John Coniers; but doth not certainly remember the precise time of his going from the Army to London, nor of his returne back, but beleeveth he returned about *June* and *July*.

To the ninth. That he was at *York* when the said Master Oneale returned thither from *London*, and can say no more to this ninth Interrog.

To the tenth, That there was a Petition prepared to bee delivered to the Parliament from the Army, which consisted of many particulars, as to shew how much they suffered for want of Martiall Law, and for want of pay, and because their principall Officers were not amongst them, and they did likewise set forth in it, That as the wisdom of the King did cooperate with the Parliament, So they did hope the Parliament would doe something concerning the Kings Revenue; but saith hee doth not Remember what the particular was which was desired, and further that they heard of great tumults about *London*, and therefore offered themselves to serve the King and Parliament: with the last drop of their bloods. Hee saith that this Petition was approved of by all the Officers; that saw it, but was laid aside till further consideration should be had of the manner of the delivery. That himselfe was afterwards sent for to *London* by order of the House of Commons, and was examined, and after his examination, when he saw there was no further use to bee made of that Petition he burnt it.

Hee farther saith, That he staid in this Towne some five or sixe dayes, and was with the King, and had some speech with His Majesty about a Petition to come from the Army, and gave him an accompt of the Petition that was formerly burnt, and there he received another Petition to the same effect with the other, but handsomier written, upon which there was a direction indorsed to this purpose. This Petition will not offend, yet let it not be shewn to any but Sir *Jacob Ashley*.

He farther saith, there was no name to this direction but only two Letters, but what those letters were, he will not say, nor cannot sweare who writ those two Letters, because he did not see them written.

He saith, he did deliver the same paper with a direction to Sir *Jacob Ashley*, and told him withall, here is a paper with a direction, you know the hand, keepe it secret, I have shewed it to no body, if there be no occasion to use it, you may burne it, and saith, he spake no more of it to him, till after my Lord of *Hollands* coming downe to be Generall, and then he spake to him to burne it.

William Legg.

Tbi

*The Examination of Sir Jacob Ashley, taken before the Lords Committees
this twenty ninth of October, 1641.*

To the first Interrog. He saith, that he hath knowne Serjeant Major *Daniel Oneale* very long, and that he was long absent from the Army the last Summer, but knowes not at what time he did returne, nor knowes not how long it was that he stayed in the Army before his going into the Low Countries, but thinkes it to be about three weekes.

The second Interrog. He saith that Mr. *O-Neale* told him after his coming downe last, that things being not so well betwixt the King and Parliament, hee thought a Petition from the Army might doe very much good, and asked him if a draught of such a Petition were brought unto him, whether he would set his hand unto it, the particulars which he desired to have the Army received in, were the want of Martiall Law, want of pay, and for words spoken in the House of Parliament against the Army, as that the City was disaffected to the Kings Army, and would rather pay the Scots then them.

To the 3. Inter. He cannot answer. *To the 4. Inter.* He cannot answer.

To the 5. Inter. He saith that he received a Letter by the hands of Captaine *Legg*, the tenour whereof as farre as he remembers was to this effect, the Letter being written in two sides of paper and somewhat more, first that divers things were pressed by parties to infuse into the Parliament things to the Kings disadvantage, and that divers tumults and disorders were neere the Parliament to the disservice of the King, divers other particulars were contained in this Letter, and in the close of this Letter, it was recommended to this Examinee that he should get the hands of the Officers of the Army to such a declaration to be sent to the Parliament, and that this would bee acceptable to the King. Hee further saith, he knowes not of whose hand writing it was, nor who delivered it to Captaine *Legg*.

To the 7. Inter. He saith, that Mr. *Oneale* telling him of the dislikes which were betweene the King and the Parliament, and of those things which were done to the disadvantage of the King, they must fight with the Scots first, and beat them before they could move Southward; and that done, they must spoyle the Countrey all along as they goe, and when they doe come to *London*, they would find resistance by the Parliament and the Scots might rally and follow them: to which *Oneale* replied, what if these Scots could bee made neutrall? This Examinee then said, that the Scots would lay him by the heeles, if hee should come to move such a thing, for that they would never breake with the Parliament.

Presently replied; I wondred that Counsells should be so laid as had been spoken of: of the marching of the Army to the South.

8. *Inter.D.* Hee further sayes that there was at the end of the Letter a direction to this effect. Captaine or *William Legg*; I command you that you shew this Letter to none but *Jacob Ashley*: above this direction were set these two Letters,
C. R. *Jacob Ashley.*

The Examination of Sir John Coniers, taken upon Oath before the Lords Commissioners upon Friday the 29. of October 1641.

TO the first Interrog. He saith, that he knowes very well Master *Daniel O-Neale*, who was Serjeant Major to his Regiment, that the said *O-Neale* came up to *London* about November last, and returned to the Army about Midsummer.

To the second. That *O-Neale*, after his returne to the Army in Summer, spake twice unto this Examinant of a Petition to be sent from the Army to the Parliament, and told him that because they did not know if himselfe would consent unto it, they would first petition him, that he would approve of it, but that as yet there were but few hands to that Petition, which was to be preferred to him; and therefore would not shew it him.

To the fourth, That the said *O-Neale* used perswasions to this Examinant, that he would serve the King, that if he did not, he should be left alone, and would but ruine himselfe; for that all the Troops under him were that way inclined: That therefore he should adhere to the King, and goe those wayes that the King would have him; or words to that effect.

To the fifth, That he saw a paper, containing some directions for a Declaration to be subscribed unto by the Officers of the Army: which paper was in Sir *Jacob Ashley's* hand; he saith, it was long, containing two sides of a sheet of paper or thereabout: the effect whereof was something concerning Martiall Law, and better payment for the Army, together with some other particulars, that it was to be directed to the Parliament, and that there were two Letters, viz. *C. R.* at the end. That he doth not know who brought it unto Sir *Jacob Ashley*, but that both of them were very much troubled at it. He saith further, that there was a direction at the end of the writing, that no body should see it but Sir *Jacob Ashley*; and the two Letters, *C. R.* were as he remembers to that direction, but whe:her before or after that direction he cannot affirme.

To the seventh, That he never heard Master *O-Neale* himselfe speake of his going to *New-castle*, but that he heard it from others, and as he takes it from his wife the Lady *Coniers*, and that whosoever it was that told him so, told him withall, that *O-neale* himselfe said so.

The second examination of Sir John Coniers, taken before the Lords Committees upon Saturday the 30. of October.

T*o the fourth Inter.* That Master *O-Neale* said to him, that if he this Examinant, had been well known to the King, the King would have written to him, and therefore he conceived, this Examinant should doe well to write unto the King; to which he replied, that he could not serve the King in that point, and therefore he thought, it would be of no use, to trouble the King with his Letters.

To the fifth, That the paper mentioned in his former examination to have been seen by him in Sir *Jacob Ashley's* hand, contained directions for a Petition to be presented to the King and Parliament: In which, was a clause to this effect, That whereas all men ought to give God thanks for putting it into the Kings heart, to condescend to the desires of the Parliament, not only to deliver up unto them many of his servants and others, who were neere unto him, to be at their disposing, but also to doe many things, which none of his Ancestors would have consented unto, as giving way to the Trienniall Parliament: and granting many other things for the good of his Subjects, yet notwithstanding some turbulent spirits, backt by rude and tumultuous mechanick persons, seemed not to be satisfied, but would have the totall subversion of the government of the State, that therefore the Army, which was so orderly governed, notwithstanding they had no martiall Law, and ill payment, and but few Officers, being of so good comportment, might be called up to attend the Person of the King and Parliament for their security. This Examinant further saith, that there were many other passages in this Petition which hee doth not now remember, only that there was some expression of a desire, that both Armies should be disbanded for the ease of the Kingdome; and likewise a direction to procure as many of the Officers hands, as could be gotten.

To the seventh, That he remembers well it was not his Wife, but Sir *Jacob Ashley*, that said to him those words. *O-Neale* goes, or else *O-Neale*, saith he, will goe to *New-castle*; but which of the sayings it was, he doth not well remember; but saith he replied to it, that *O-Neale* said nothing to him of that.

This Examinant further saith, that hee tooke occasion upon these passages from *O-Neale*, to command him and Sir *John Bartlet*, and all the other Officers to repaire to their Quarters, to be ready to perfect their accounts with the Countrey against the time they should be called for. *Io. Coniers.*

*The Examination of Sir Foulke Huncks, taken before the Lords
Committees upon Friday, Octob. 29. 1641.*

TO the first Interrog. he saith, that he doth well know Master *Daniel O-Neale*, who was Serjeant Major to Sir *John Coniers*; That he went from the Army to *London* about the time that the King came out of the North to the Parliament; and that he returned againe to the Army, about that time when Commisſarie *Wilmot* and the other Souldiers were committed by the Parliament.

To the second. That the said *O-Neale* perswaded him this Examinant to take part with the King, or something to that purpose; and that thereupon this examinant acquainted the Lievtenant Generall with it, and presently repaired to his owne quarter, to keepe the Souldiers in order; where he staid not above two or three dayes, till he heard that *O-Neale* was fled. Hee further saith, that *O-Neale* dealt with him to have the Troopes move; To which hee replied, that he had received no such direction from his Superiours, nor from the King: And that then he offered him a paper, and pressed him to signe it; whereupon he this Examinant asked, if the Generall, or Lievtenant Generall had signed it; to which *O-Neale* answering they had not, hee said, that hee would not be so unmannerly as to signe any thing before them, and refused to reade it. He saith likewise that Captaine *Armstrong* was present at the same time, and that *O-Neale* offered it to him; who looking upon the Examinant, this Examinant did shake his head at him, to make a signe that he should not doe it, and withall went out of the roome: and *Armstrong* afterwards resigned it, giving this reason, That he would not signe it when his Colonell had refused it; which he told this Examinant.

To the third. He saith, That *O-Neale* told him he had very good authority for what he did; but did not tell him from whom.

To the seventh. That Master *O-Neale* told him he was to goe to the Scottish Army, but saith he doth not know for what end and purpose hee would goe thither; for that he this Examinant shunned to have any thing more to doe with him.

Foulke Huncks.

*The Examination of Sir William Belfour Lievtenant of the Tower,
taken the second of Iune.*

TO the first Interrog. He saith, he was commanded to receive Captaine *Billingsley* into the Tower with 100. men for securing of the place, and that he was told they should be under his command.

To the second Interrog. he saith, The Earle of Strafford told him it would bee dangerous in case he should refuse to let them in.

To the third Interrog. He referreth himselfe to the former depositions of the three women, taken before the Constable and himselfe. And further saith, That the Earle of Strafford himselfe, after he had expostulated with him for holding Master *Slingsby* at the Tower gate; and after his telling the said Earle he had reason so to doe, in regard of what the women had deposed, by which it appeared there was an escape intended by his Lordship; himselfe acknowledged hee had named the word *Escape* twice or thrice in his discourse with Master *Slingsby*, but that hee meant it should be by the Kings authority, to remove him out of the Tower to some other Castle; and that he did aske Master *Slingsby*, where his brother was, and the ship.

To the fourth Interrog. This Examinant saith, the Earle of Strafford sent for him some three or foure dayes before his death, and did strive to perswade him that he might make an escape; and said, for without your connivence I know it cannot bee: and if you will consent thereunto, I will make you to have 20000. pounds paid you, besides a good marriage for your sonne: To which this Examinee replied: he was so farr from concurring with his Lordship, as that his honour would not suffer him to connive at his escape; and withall told him, he was not to be moved to hearken thereunto. *W. Balfour.*

Ex. in presence of us, Essex. Warwicke. L. Wharton. Mandevile.

James Wadsworth lies at the halfe Moone in Queens-street, at Cockets house a Ioyner divers Officers lye, which is the next doore.

Coll. Lindsey.

Capt. Kirk.

Die Martis 4. Masi, 1641.

James Wadsworth,

HE saith that one Ancient *Knot* told him severall times the last weeke, that Sir *Iohn Suckling* was raising of Officers for three Regiments for Portugall: and saith that hee this Examinant was at the Portugall Ambassadours on Sunday last, and then the Ambassadour told him that hee knew not Sir *Iohn Suckling*, nor any thing at all of Sir *Iohn Sucklings* raising of men for Portugall; and the Ambassadour himselfe had no Commission to treat for any men till he heard out of Portugall.

Tuesday

Tuesday, the 11. of May, 1641.
The Examination of John Lanyon.

HEE was upon Easter Eve last, and severall times since, troubled by Captaine *Billingsley* to enter into an expedition for *Portugall* with Sir *John Suckling*. And when this Examinant told him that he was His Majesties servant, and could not goe without leave, Captaine *Billingsley* bid him take no care for that, he should have leave procured, and further desired him to get as many Canoneers as he could.

This Examinant doubting whether they were real in that Designe, repaired to the Portugall Ambassadors, and there understood from his Secretary, that hee was willing to have men; but they knew neither Sir *John Suckling*, nor Captaine *Billingsley*; neither had they from them any Commission to raise men.

Hee likewise saith, that Captaine *Billingsley* did after sollicite this Examinant to come to Sir *John Suckling*, and that upon Sunday was fennight last Sir *John Suckling* and Capaine *Billingsley*, with many other Officers, repaired unto his house in the afternoone, and there staid two houres at least; The Examinant not comming in, they left a note hee should be with them that night at the Sparagus Garden at Supper: whereof this Examinant failing, Captaine *Billingsley* comes againe to his house the Monday morning, and not finding him there, left word that hee must needs come to the Covent Garden to Sir *John Sucklings* lodging, which accordingly he did; but not finding him there, the same day he was with Captaine *Billingsley* at the Dog Taverne in *Westminster*, at which time he did farther appoint this Examinant upon Wednesday, to promise Sir *John Suckling* a meeting at the Dolphin in *Grayes Inne* lane about nine of the clock in the forenoone, where the same day came some thirty more, which were appointed by Sir *John Suckling* and Captaine *Billingsley*; but neither Sir *John Suckling* or *Billingsley* came, only there came one and gave them money, and so dismissed them for the present.

This Examinant further saith, that Captaine *Billingsley* having notice that he had some store of Armes of his owne, told him, Sir *John Suckling* would buy them all, if he pleased to sell them.

Captaine *Billingsley* likewise told this Examinant, that Sir *John Suckling* had furnished himselfe for money, and all the company.

John Lanyon.

Quarto die Maii, 1641.

E*lizabeth Nutt*, wife of *William Nutt* of Tower-street London Merchant, and *Anne Bardsey* of Tower-street afore-said Widow, say, that they being desirous to see the Earle of *Strafford*, came to *Anne Vyner*, Wife of *Thomas Vyner*, Clerke to the Lievtenant of the Tower, whose lodging being neere to the Kings Gallery, where the said Earle useth to walke, carried them to a back doore of the said Gallery, the said Earle with one other being then walking. And they three being then there, and peeping through the key hole, and other places of the doore to see the said Earle, did heare him and the said other party conferring about an escape, as they conceived, saying, that it must be done when all was still, and asked the said party where his brothers ship was, who said she was gone below in the River, and heard him say, that they three might be there in twelve houres, and doubted not to escape if some thing which was said concerning the Lievtenant of the Tower, were done; but what that was, as also where they might bee in twelve houres, they could not heare by reason that when they walked further off, they could not perfectly heare. And the said *Mistress Nutt* and *Mistress Bardsey* say, that they heard the said Earle then say, that if this Fort could bee safely guarded or secured for three or foure moneths, there would come ayde enough: and divers other words tending to the purposes aforesaid, which they cannot now remember.

And further all of them say, that they heard the said Earle, three times mention an escape, saying, that if any thing had beene done, his Majestie might safely have sent for him; but now there was nothing to bee thought on, but an escape: And heard the said other partie telling his Lordship, that the outward gates were now as surely guarded as those within. To whom the said Earle said, the easier our escape that way, pointing to the East, if the said party and some others should obey the directions of the said Earle: But what those were they know not; but heard the said party answer, they would doe any thing his Lordship should command.

Anne Vyner,

Anne Bardsey,

Signum,

Eliz. E. N. Nutt.

The Superfcription of the Letter.

*For my worthy Friend Sir Lewis Dyves Knight, at the Earle of
Bristols House in Queens street.*

Deare Brother,

London.

I Hope you have received the Letter which I wrote unto you from aboard Sir *John Pennington*, wherein I gave you account of the accident of *O-Neals* man, and why I thought fitting to continue my journey into *Holland*; going still upon this ground, that if things goe on by way of accommodation, by my absence the King will be advantaged: If the King declare himselfe, and retire to a safe place, I shall be able to wait upon him from hence, as well as out of any part of *England*, over and above the service which I may doe him here in the meane time. Besides that I found all the Ports so strict, that if I had not taken this opportunity of Sir *John Penningtons* forwardnesse in the Kings service, it would have bin impossible for mee to have gotten away at any other time.

I am now here at *Middleborough*, at the Golden Fleece upon the Market, at one *George Petersons* house, where I will remaine till I receive from you advertisement of the state of things, and likewise instructions from their Majesties; which I desire you to hasten unto me by some safe hand: and withall to send unto me a Cypher, whereby we may write unto one another freely. If you knew how easie a passage it were, you would offer the King to come over for some few days your selfe. God knows I have not a thought towards my Countrey to make me blush, much lesse criminall; but where Traitors have so great a sway, the honestest thoughts may prove most treasonable.

Let *Dick Sherley* be dispatcht hither speedily, with such black cloaths and linnen as I have: and let your Letters be directed to the Baron of *Sherborn*, for by that name I live unknown. Let care be taken for Bills of Exchange.

Middleborough
Jan. 20. 1641.

Yours.

*The Examination of Owen Connelly Gentleman taken before us
whose names ensue the 22 of October, 1641.*

VV Ho being duly sworn and examined, saith that he being at *Mommore* in the County of *London-Derry* on Tuckday last, he received a Letter from Col. *Hugh OgemaMahon*, desiring him to come to *Connagh* in the County

of *Monaghan*, and to be with him on Wednesday or Thursday last : whereupon he this Examine came to *Connagh* on Wednesday night last, & finding the said *Hugh* come to *Dublin*, followed him hither : Hee came hither about six of the clock this Evening, and forthwith went to the lodging of the said *Hugh*, to the house neere the Boot in *Oxmantowne*, and there hee found the said *Hugh*, and came with the said *Hugh* into the Town, neere the Pillory, to the lodging of the Lord *Mac-quire* ; where they found not the Lord within : and there they drank a cup of Beere, and then went back again to the said *Hugh* his lodging. He saith, that at the Lord *Mac-quire* his lodging, the said *Hugh* told him that there were and would be this night great numbers of Noblemen and Gentlemen of the Irish Papiests, from all the parts of the Kingdome, in this Town, who with himselfe had determined to take the Castle of *Dublin*, and possesse themselves of all His Majesties Ammunition there ; and to morrow morning being Saturday : and that they intended first to batter the Chimneys of the said Town ; and if the City would not yeeld, then to batter downe the houses, and so to cut off all the Protestants that would not joyne with them.

He saith further, That the said *Hugh* then told him that the Irish had prepared men in all parts of the Kingdom to destroy all the English inhabiting there to morrow morning by ten of the clock ; and that in all the Sea-ports, and other Towns in the Kingdome, all the Protestants should be killed this night ; and that all the Posts that could be, could not prevent it. And further saith, That he moved the said *Hugh* to forbear the executing of that businesse, and to discover it to the State for the saving of his owne estate : who said, that he could not help it : But said that they did owe their due Allegiance to the King and would pay him all His Rights, but that they did this for the Tyrannicall Government was over them ; and to inuite *Scotland*, who got a priviledge by that course. And he further saith, That when he was with the said *Hugh* in his lodging the second time, the said *Hugh* swore that he should not go out of his lodging that night, but told him that he should go with him the next morning to the Castle, and said, if this matter were discovered, some body should die for it : Whereupon this Examine feigned some necessity for his easement, went down out of the Chamber, and left his sword in pawn, and the said *Hugh* sent his man down with him : And when this Examine came downe into the yard, finding an opportunity, he this Examine leaped over a wall and two pales, and so came to the Lord Justice *Parsons*.

Octob. 22.

1641.

Owen Oconnelly, William Parsons,
Tho. Rotherham, Rob. Meridith.

The Examination of Marke Pagett Parson of Morlestowne, neere King'sale in
H h 2 Ireland,

Ireland, and Dean of *Rosse* there, had and taken at *Plimmonth*, in the County of *Devon*: before *Thomas Ceely* Merchant, Major of the Burrough of *Plimmonth*, afore said, *William Birch*, and *Iohn Bound*, Merchants, three of His Majesties Justices of the Peace, within the said Burrough, the fourth day of *March*, 1641.

The said Examinee saith, that he came from *Kingstale* this day was seven night, and saith, that the Rebellion in *Ireland* is generall; (except the Port Towns and Fortifications) and saith, that he conceiveth that the Forces of the Rebels in *Munster*, is between 20 or 30000, which lie neere *Corke* and *Bandam* Bridge, in two bodies; whereof the chiefe of one is Baron *Loughland*; the Lord *Mungarret*, the Lord *Dunborne*, and divers other Lords: and the chiefe of the other are *Macarte Reath*, *Teage Adwn*, *Teage Adun van Durmet*, *Glacke*, and *Mack Phemning*, and divers others. And this Examinee hath for certain heard, that the Earle of *Clanrickard* is likewise in Armes in *Connough* against the English Protestants; and further saith, that he knoweth that the Rebels have very good intelligence out of *England*, of all passages here, and for the most part speedier then the English have there: and further saith, that they threaten that assoon as they have rooted out the *Brittish* and *English* there, to invade *England*, and assist the Papists in *England*. And further saith, that they have the Popes Legat amongst them (as they report) who sits constantly in counsell with Sir *Ptolome Oneale*, (who writes himselfe now Prince *Oneale*, from his Palace *Charlemount*:) the Lord *Meggennys*, and divers others who directed and advised the rest of the Rebels. And further saith, That the *Irish* Rebels doe report that they have the Kings Warrant and Great Seale for what they doe, and say they are His Majesties true Subjects; and that the *English* Protestants are Rebels, and not they. And further saith, that the Rebels doe generally report that there are three Factions in *England*, whereof one is the Kings; which consists for the most part of Courtiers and Bishops, with some few Lords and Gentry: Another the Puritans, which is supported by the House of Commons, some Lords, and the Corporations and Cities in *England*: And the third is the Queenes, which they say is the greateit; and consists of the Catholicks, some Lords, all the Priests and Jesuits, besides the expectation they have of forreigne forces: And further saith, that they report that the Queenes Faction will set such a division between the two others, that it will root out both of them at last. And farther saith, that the said *Irish* do brag that the Queens Faction hath the command of most of the Forts and Forces of *England*. And this Examinee farther saith, that hee knoweth this to be usually reported amongst them, for that he hath lived in *Ireland* these 32 yeeres, and bin Incumbent of the said Church 18 yeeres, and hath heard divers of the *Irish* Papists of the better sort to affirme so much, which doth much hearten

hearten the Rebels, and dishearten the *English*: And farther saith, that the Rebels have taken the Iron-workes at *Glannorresh*, and great quantities of Iron; and there and else-where cast Ordnance, make Muskets, heads for Pikes, Skreens, and other Weapons: and farther saith, that the greatest part of the 9000 *Irish* Souldiers which the Earle of *Strafford* had at *Nackvargus* in *Ireland*, and there exercised and trained a long time, are the most expert Commanders, Leaders, and Officers amongst the Rebels.

Thomas Ceely Major.

Madame,

I Shall not adventure to write unto your Majesty with freedome, but by Expresses, or till such time as I have a Cypher, which I beseech your Majesty to vouchsafe mee. At this time therefore I shall onely let your Majesty know where the humblest and most faithfull servant you have in the World is; Here at *Middleborough*, where I shall remaine in the privatest way I can, till I receive Instructions how to serve the King and your Majesty in these parts. If the King betake himselfe to a safe place, where hee may avow and protect his servants from rage (I mean) and violence, for from Justice I will never implore it, I shall then live in impatience and in misery, till I wait upon you. But if after all he hath done of late, he shall betake himselfe to the easiest and complying wayes of Accommodation: I am confident, that then I shall serve him more by my absence then by all my industry, and it will be a comfort to me in all calamities if I cannot serve you by my actions, that I may doe it in some kind by my sufferings for your sake; having (I protest to God) no measure of happinesse or misfortune in this World, but what I derive from your Majesties value of my affection and fidelity.

Middleborough the 21 of Jan. 1643.

FINIS.

His Majesties Answer to a Book entituled, the Declaration, or Remonstrance of the Lords and Commons, of the nineteenth of MAY, 1642.

IF We could be weary of taking any pains for the satisfaction of Our people, & to undeceive them of those specious mischievous Infusions which are daily instilled into them, to shake & corrupt their loyalty and affection to Us & Our Government, after so full and ample Declaration of Our Selfe and Intentions, and so fair and satisfactory Answers to all such matters as have bin objected to

Us by a major part present of both Houses of Parliament, We might well give over this labour of Our Pen, and sit still till it shall please God so to enlighten the Affections and Understandings of Our good Subjects on Our behalf (which We doubt not but that in his good time he will do) that they may see Our sufferings are their sufferings. But, since in stead of applying themselves to the Method proposed by Us, of making such solid particular Propositions as might establish a good understanding between Us, or of following the advice of Our Councell of *Scotland* (with whom they communicate their affairs) in forbearing all means that may make the breach wider and wound deeper, they have chosen to pursue Us with new Reproaches, or rather to continue and improve the old, by adding and varying little Circumstances and Language, in matters formerly urged by them, and fully answered by Us. We prevailed with our Selfe, upon very mature and particular consideration of it, to answer the late Printed Book, intituled, *A Declaration or Remonstrance of the Lords and Commons*, which was ordered the nineteenth of *May* last to bee Printed and published, hoping then that they would put Us to no more of this trouble, but that that should have been the last of such a nature they would have communicated to Our people, and that they would not as they have done since, thought fit to assault Us with a newer Declaration, indeed of a very new Nature and Learning, which must have another Answer. And Wee doubt not but that Our good Subjects, in short time, will bee so well instructed in the differences, and mistakings between Us, that they will plainly discerne, without resigning their reason and understanding to Our Prerogative, or the infallibility of a now major part of both Houses of Parliament (infected by a few malignant spirits) where the fault is.

Though we shall with humility and alacrity be always forward to acknowledge the infinite Mercy and Providence of Almighty God, vouchsafed so many severall ways to Our Selfe and this Nation, yet since God himselfe doth not allow, that We should fancy and create dangers to our Selfe, that We might manifest and publish his Mercy in Our deliverance, We must profess Wee doe not know those deliverances mentioned in the beginning of that Declaration, from so many wicked Plots and Designes since the beginning of this Parliam. which if they had taken effect, would have brought ruine and destruction upon this Kingdome. We well know the great labour and skill hath been used to amaze and affright Our good Subjects with Feares and Apprehensions of Plots and Conspiracies the severall Pamphlets published, and letters scattered up and down full of such ridiculous contemptible Animadversions to that purpose (as though they found for what end God knowes, very unusuall countenance) no sober man would be moved with them: But We must confesse, Wee have never been
able

able to informe Our Selfe of any such pernicious formed Designe against the Peace of this Kingdome, since the beginning of this Parliament, as is mentioned in that Declaration, or might be any warrant to those great Feares both Our Houses of Parliament seemed to be transported with, but We have great cause to believe more mischief and danger hath bin raised and begotten to the disturbance of this Kingdome, then cured or prevented by those Feares and Jealousies: And therefore however the rumour and discourse of Plots and Conspiracies may have bin necessary to the Designes of particular men, they shall doe well not to pay any false devotions to Almighty God, who discernes whether Our dangers are reall or pretended.

- For the bringing up of the Army to *London*, as Wee have heretofore (by no other direction then the testimony of a good conscience) called God to witnesse, Wee never had, or knew of any such Resolution, so upon the view of the Depositions now published with that Declaration, it is not evident to Us there was ever such a designe, unlesse every loose Discourse or Argument be instance enough of such a Designe: And it is apparent, that what was said of it, was neer three moneths before the discovery to both Houses of Parliament, so that if there were any danger threatned that way, it vanished without any resistance or prevention, by the Wisdome, Power or Authority of them.

It seems the intention of that Declaration (whatsoever other end it hath) is to answer a Declaration they received from Us, in Answer to that which was presented to Us at *Newmarket* the ninth of *March* last; and likewise to Our Answer to the Petition of both Houses. presented to Us at *York* the twenty sixth of *March* last. But before that Declaration falls upon any particulars of Our said Declaration or Answer, it complains, That the heads of the Malignant Party have with much Art and Industry advised Us to suffer divers unjust Scandals and Imputations upon the Parliament, to be published in Our name, whereby they might make it odious to the people, and by their help destroy it: But not instancing in any one Scandall or Imputation so published by Us, We are still to seeke for the Heads of that Malignant Party. But Our good Subjects will easily understand, That if Wee were guilty of that aspersion. We must not onely be active in raising the Scandall, but passive in the mischief begotten by that Scandall, We being an essentiall part of the Parliam. and We hope the just defence of Our Selfe and Our Authority, and the necessary vindication of Our Innocence and Justice, from the Imputation laid on Us by a Major part, then present of either, or both Houses, shall no more be called a Scandall upon the Parliament, then the opinion of such a part be reputed an Act of Parliament: And We hope Our good Subjects will not be long misled by that common expression in all the Declarations (wherein they usurpe the word

word *Parliament*, and apply it to countenance any Resolution or Vote) some few have a minde to make, by calling it, *The Resolution of Parliament*, which can never be without Our consent; Neither can the Vote of either, or both Houses, make a greater alteration in the Lawes of this Kingdome (so solemnly made by the advice of their Predecessours, with the concurrence of Us and Our Ancestours) either by commanding or inhibiting any thing (besides the known Rule of the Law) then Our single Direction or Mandate can doe, to which We doe not ascribe the Authority.

But that Declaration informs Our People that the Malignant party hath drawn Us into the Northern parts farre from Our Parliament. It might more truly and properly have said, That it hath driven, then drawn Us hither. For We confesse Our Journey hither (for which Wee have no other reason to be sorry, then with reference to the cause of it) was onely forced upon Us by the true Malignant Party which contrived and countenanced those barbarous Tumults, and other seditious Circumstances, of which We have so often complained, and hereafter shall say more, and which indeed threatens so much danger to Our Person, and laid so much scandall upon the whole Priviledge and Dignity of Parliament, that We wonder it can be mentioned without Blushes or Indignation: But of that anon. But why the Malignant Party should be charged with causing a Presse to be transported to *Yorke*. We cannot imagine, neither have any Papers or Writings issued from thence, to Our knowledge, but what have been extorted from Us by such provocations, as have not beene before offered to a King. And no doubt it will appeare a most triviall and fond Exception, when all presses are open to vent whatsoever they thinke fit to say to the People, (a thing unwarranted by former Custome) that Wee should not make use of all lawfull means to publish Our just and necessary Answers thereunto. As for the Authority of the great Seale (though Wee doe not know that it hath been necessary to things of this nature) the same shall be more frequently used hereafter, as occasion shall require, to which Wee make no doubt the greater and better part of Our Privy Councell will concur, and whose Advice We are resolved to follow, as far as it shall be agreeable to the good and welfare of the Kingdome.

Before that Declaration vouchsafes to insist on any particulars, it is pleased to censure both Our Declaration and Answer, to be filled with harsh Censures, and causlesse Charges upon the Parliament, (still misapplying the word *Parliament* to the Vote of both Houses) concerning which they resolve to give satisfaction to the Kingdome, since they find it very difficult to satisfie Us. If, as in the usage of the word *Parliament*, they have left Us out of their thoughts, so by the word *Kingdome*, they intend to exclude all Our People, who are out of their

wals:

wals: (for that's grown another Phrase of the Time, the Vote of the major part of both Houses, and sometimes of one is now called, *The Resolution of the whole Kingdome*) Wee believe it may not be hard to give satisfaction to themselves; otherwise Wee are confident (and Our confidence proceeds from the uprightnesse of Our owne Conscience) they will never be able, so to sever the affections of Us, and Our Kingdome, that what cannot be satisfaction to the one, shall be to the other: Neither will the Style of *Humble*, and *Faithfull*, and telling Us, *That they will make V's a Great and Glorious King*, in their Petitions and Remonstrances, so deceive Our good Subjects that they will passe over the Reproaches, Threats, and Menaces, they are stuffed with, which sure could not be more gently reprehended by Us, then by saying, Their expressions were different from the usuall Language to Princes, which that Declaration tels you, We had no occasion to say. But We believe, whosoever looks over that Declaration presented to Us at *Newmarket*, to which Ours was an Answer, will find the Language thorowout it, to be so unusuall, that, before this Parliament, it could never be parallel'd, whiles under pretence of justifying their seares, they give so much countenance to the discourse of the Rebels of *Ireland*, as if they had a mind Our good Subjects should give credit to it: Otherwise, being warranted by the same evidence, which they have since published, they would have as well declared, That those Rebels publicly threaten the rooting out the name of the *English*, & that they will have a *King* of their own, and no longer be governed by Us, as that they say. That they do nothing but by Our Authority, and that they call themselves, The *Queens Army*. And therefore we have great reason to complaine of the absence of Justice and Integrity in that Declaration; besides the unfitnesse of other expressions. Neither did Wee mistake the Substance or Logick of the Message to Us at *Thobalds*, concerning the *Militia*, which was no other, and is stated to be no other (even by that Declaration which reproved Us) then a plaine Threat, That if We refused to joyn with them, they would make a *Law* without Us: nor hath the Practice since that time been other, which will never be justified to the most ordinary (if not partiall) Understandings, by the meer averring it to be according to the fundamentall Laws of this Kingdom, without giving any direction, that the most cunning and learned men in the Laws may be able to finde those foundations. And We must appeal to all the World, Whether they might not with as much Justice, and by as much Law, have seized upon the estate of every Member of both Houses, who dissented from that pretended Ordinance (which much the major part of the House of Peeres did two or three severall times) as they have invaded that Power of Ours over the *Militia*, because We (upon Reasons they have not so much as pretended to answer) refused to consent to that Proposition: And if no better effects then losse of Time and hindrance of the publike Affairs have been found by our Answers & Replies, let

all good men judge, by whose default, and whose want of duty such effects have been: For as Our end (indeed onely end) in those Answers and Replies hath been, The settlement and composure of publike Affaires, so We are assured and most men doe belcive, That if that due regard and Reverence had been given to Our Words, and that Consent and Obedience to Our Counsels, which we did expect, there had been before this time a cheerfull Calme upon the face of the whole Kingdom, every man enjoying his owne, with all possible Peace and Security that can be imagined, which surely those men doe not desire, who (after all those Acts of Justice and Favour passed by Us this Parliament, all those Affronts and Sufferings endured and undergone by Us) thinke fit still to reproach Us with Ship-money, Coat and Conduct Money, and other things so abundantly declared (as that Declaration it selfe confesses) in the generall Remonstrance of the State of the Kingdome, published in *November* last, which Wee wonder to finde now avowed to be the Remonstrance of both Houses, and which wee assure was presented to Us onely by the House of Commons, and did never, and We are confident, in that time, could never have passed the House of Peeres; the Concurrence and Authority of which was not then thought necessary. Shall We believe those Reproaches to be the voice of the Kingdom of *England*? That all Our loving Subjects eased, refreshed, strengthened, and abundantly satisfied with Our Acts of Grace and Favour towards them are willing to be involved in these unthankfull expressions? We must appeal to the thanks and Acknowledgements published in the Petitions of most of the Counties of *England*; to the Testimony and thanks We have received from both Houses of Parliament, how seasonable, how agreeable this usage of Us is to Our merit or their former expressions.

We have not at all swerved or departed from Our Resolution, or words in the beginning of this Parliament: VVe said, VVe were resolved to put Our Self freely and cleerly upon the Love and Affection of Our English Subjects, and we say so still, as far as concernes *England*. And VVe call Almighty God to witnesse, all Our Complaints and Jealousies, which have never been causelesse, nor of Our Houses of Parliament (but of some few Schismaticall, Factionous, and Ambitious Spirits, and upon grounds, as short time, VVe feare, will justifie to the VVorld) Our deniall of the *Militia*, Our absenting Our Self from *London*, have been the effects of an upright and faithfull Affection to Our English Subjects, that VVe may be able (through all the inconveniences VVe are compelled to wrastle with) at last to preserve and restore their Religion, Laws and Liberties unto them.

Since the preceeding against the Lord *Kimbolton*, and the five Members is still looked upon, and so often pressed, as so great an advantage against Us, that no retraction made by us, nor no Actions since that time committed against Us, and the Law of the Land under the pretence of vindication of Priviledge, can satisfie the Contrivers of that Declaration, but that they would

have Our good Subjects beleieve, The Accusation of those fixe Members must be a plot for the breaking the neck of the Parliament, (a strange Arrogance, if any of those Members had the penning of that Declaration) and that it is so often urged against Vs, as if by that single casuall mistake of Ours (in form only) VVe had forfeited all Duty, Credit, and Allegiance from Our people: VVe must, without endeavouring to excuse that, which in truth was an error (Our going to the House of Commons) give Our people a cleer and full narration of the matter of Fact, assuring Our Self that Our good Subjects will not finde Our carriage in that businesse such as hath been reported.

When we resolved upon such grounds, as when they shall be published will satisfie the VWorld, That it was fit for Our own Safetie, and honour, and the Peace of the Kingdom, to proceed against those persons though VVe well know there was no degree of Priviledge in that case, yet (to shew Our desire of correspondencie with the two houses of Parliament) VVe chose, rather then to apprehend their persons by the ordinary Ministers of Justice (which, according to the Opinon and practice of former times, VVe might have done) to command Our Attorney Generall to acquaint Our House of Peeres with Our intention, and the generall matters of Our Charge (which was yet more particular then a meer Accusation) and to proceed accordingly, and at the same time sent a sworn Servant, a Serjeant at Arms to Our House of Commons, to acquaint them, That we did accuse, and intended to prosecute the five Members of that House for high Treason, and did require that their persons might be secured in custody: This we did, not onely to shew that VVe intended not to violate or invade their Priviledges, but to use more Ceremony towards them, then we then conceived in Justice might be required of Vs; and expected at least such an Answer as might inform Vs, if we were out of the way; But we received none at all; Onely in the instant, without offering any thing of their Priviledges to our Consideration, an Order was made (and the same night published in Print) That if any person whatsoever should offer to Arrest the person of any Member of that House, without first acquainting that House therewith, and receiving further Order from that House, That it should be lawfull for such Members, or any person to assist them, and to stand upon his or their Guard of Defence, and to make resistance according to the Protestation taken to defend the Priviledges of Parliament: And this was the first time that VVe heard the Protestation might be wrested to such a sense; or that in any case (though of the most undoubted and unquestionable Priviledge) it might be lawfull for any Person, to resist, and use violence against a publike Minister of Justice, armed with lawfull Authority; though VVe well knew, that even such a Minister might be punished for executing such Authority.

Vpon viewing this Order we must confesse we were somewhat amazed,

having never seen or heard of the like, though We had known Members of either House committed without so much Formality as We had used, and upon Crimes of a far inferiour nature to those We had suggested; and having no course proposed to Vs for Our proceeding, We were upon the matter onely told, That against those Persons We were not to proceed at all; That they were above Our reach, or the reach of the Law, it was not easie for Vs to resolve what to do: If we employed Our Ministers of Justice in the usuall way for their apprehension (who without doubt would not have refused to execute Our lawfull Commands) We saw what Resistance and Opposition was like to be made, which very probably might cost some blood; If We sat still and desisted upon this terrour, We should at the best have confessed Our own want of power and the weaknesse of the Law: In this strait We put on a sudden Resolution, to try whether Our own presence, and a cleer discovery of Our Intentions (which haply might not have been so wel understood) could remove those doubts, and prevent those inconveniences which seemed to have been threatned; and thereupon We resolved to go in Our own person to Our House of Commons, which we discovered not till the very minute of Our going, when We sent out, That Our Servants, and such Gentlemen as were then in Our Court, should attend Vs to *Westminster*; but giving them expresse command (as We have expressed in Our Answer to the Ordinance) that no Accidents of Provocation should draw them to any such Action as might imply a purpose of force in Vs, and Our Self (requiring those of Our Train not to come within the door) went into the House of Commons: the bare doing of which We did not then conceive would have been thought more a breach of Priviledge, then if We had gone to the House of Peers, and sent for them to come to Vs, which is the usuall custom. We used the best expressions We could to assure them how far We were from any Intention of violating their Priviledges, That We intended to proceed Legally and speedily against the persons We had accused, and desired therefore, if they were in the House, that they might be delivered to Vs, or if absent, that such a course might be taken for their forth-coming as might satisfie Our just demands; and so We departed, having no other purpose of force, if they had been in the House, then We have before protested before God, in Our Answer to the Ordinance. You have an account of Our part of this Story fully, let Our people judge freely of it. What followed on their part (though this Declaration tells you, It could not withdraw any part of their Reverence and Obedience from Vs; it may be any part of theirs it did not) We shall have too much cause hereafter to inform the world.

There will be no end of the Discourse, and upbraiding Vs with evill Counsellors, if upon Our constant deniall of knowing any, they will not vouchsafe

to inform Vs of them ; and after eight moneths amusing the Kingdom with the expectation of a discovery of a Malignant Party, and of evill Counsellors they will not at last name any, nor describe them : Let the Actions and Lives of men be examined, who have Contrived, Counsell'd, Actually consented to grieve and burden Our people, and if such be about Vs, or any against whom any notorious malicious Crime can be proved ; if We shelter and protect any such, let Our Injustice be published to the world ; but till that be done particularly and manifestly (for We shall never conclude any man upon a bare generall Vote of the major part of either, or both Houses, till it be evident that major part must be without passion or affection) We must look upon the charge this Declaration puts on Vs, Of cherishing and countenancing a discontented Party of the Kingdom against them, as a heavier and unjust tax upon Our Justice and Honour, then any We have, or can lay upon the Framers of that Declaration.

And now, to countenance those unhandsome Expressions, whereby usually they have implied Our connivence at, or want of Zeale against the Rebellion of *Ireland*, (so odious to all good men) they have found a new way of exprobration ; That the Proclamation against those bloody Traitors came not out till the beginning of January, though that Rebellion broke out in October, and then by speciall Cominand from Us but fourty Copies were appointed to be printed. 'Tis well known where We were at that time, when that Rebellion brake forth, in *Scotland*: That We immediately from thence recommended the care of that businesse to both Houses of Parliament here, after Wee had provided for all fitting supplies from our Kingdome of *Scotland*: That after Our returne hither, We observed all those Forms for that service, which We were advised to by Our Councell of *Ireland*, or both Houses of Parliament here : and if no Proclamation issued out sooner (of which for the present Wee are not certain, but thinke that others before that time were issued by Our directions) it was, because the Lords Justices of the Kingdome desired them no sooner ; and when they did, the number they desired was but twenty, which they advised might be signed by Us ; which We for expedition of the Service commanded to be printed (a circumstance not required by them) thereupon We signed more of them then our Justices desired : All which was very well known to some Members of one or both Houses of Parliament, who have the more to answer, if they forbore to expresse it at the passing of this Declaration ; and if they did expresse it, We have the greater reason to complaine, that so envious an Aspersion should be cast on Us to Our People, when they knew well how to answer their own Objection.

What that Complaint is against the Parliament put forth in Our Name, which is such an evidence and countenance to the Rebels, and speaks the same

language of the Parliament, which the Rebels doe, VVe cannot understand. All Our Answers and Declarations have been, and are owned by Us, and have been attested under Our own Hand ; If any other had been published in Our Name, and without Our Authority, it would be easie for both Houses of Parliament to discover and apprehend the Authors : And we wish, that whosoever was trusted with the Drawing and Penning of that Declaration, had no more Authority or cunning to impose upon, or deceive a major part of those Votes by which it passed. then any man hath to prevaile with Us to publish in Our Name any thing but the Sense and Resolution of Our own Heart : or that the Contriver of that Declaration could with as good a Conscience call God to witnesse that all His Counsels and Endeavours have been free from all private Aimes, Personall Respects, or Passions whatsoever, as VVe have done and doe, That We never had or knew of such Resolutions of bringing up the Army to *London*. And since this new adevice is found out in stead of Answering Our Reasons, or satisfying Our just Demands, to blast Our Declarations and Answers, as if they were not Our own (a bold senselesse imputation) We are sure that every Answer and Declaration published by Us, is much more Our own, then any one of those bold, threatening, and reproachfull Petitions and Remonstrances are the Acts of either, or both Houses. And if the Penner of that Declaration had been carefull of the trust reposed in him, he would never have denied (and thereupon found fault with Our just Indignation) in the Text or Margent, that We had never been charged with the intention of any Force, and that in their whole Declaration there is no word tending to such a Reproach ; The contrary whereof is so evident, that We are in expresse termes charged in that Declaration, That we sent them gracious Messages, when with Our Privy, bringing up the Army was in agitation. And even in this Declaration they seek to make Our people beleive some such thing to be proved in the Depositions now published, wherein, We doubt not. they will as much faile, as they doe in their censure of that Petition shewed formerly to Us by Captaine *Legg*, and subscribed by Us with *C.R.* which notwithstanding Our full and particular Narration of the substance of that Petition, the circumstances of Our seeing and approving it, this Declaration is pleased to say, Was full of scandall to the Parliament, and might have proved dangerous to the whole Kingdome. If they have this dangerous Petition in their hands, We have no reason to beleve any tenderneesse to Us-ward hath kept them from communicating it ; If they have it not, We ought to have been beleaved. But that all good people may compute their other pretended dangers by their cleere understanding of this, the noyse whereof hath not been inferiour to any of the rest, We have recovered a true Copy of the very Petition Wee signed with *C.R.* which shall in fit time be published, and which, We hope, will open the eyes of Our good people.

Concerning Our warrant for *M. Iermyns* passage, Our Answer was true and full ; But for his black Sattin Suit, and white Bootes, We can give no account.

We complained in Our Declaration, and as often as We have occasion to mention Our returne and residence neere *London*, we shall complain of the barbarous and seditious Tumults at *Westminster* and *Whitehall*, which indeed were so full of scandall to Our Government, and danger to Our Person, that We shall never thinke of Our Return thither, till we have justice for what is past and security for the time to come. And if there were so great a necessity, or desire of Our Return as is pretended, in all this time, upon so often pressing Our desires, and upon causes so notorious, VVe should at least have procured some Order for the future. But that Declaration tells Us, we are upon the matter mistaken, The resort of the Citizens to *Westminster* was as lawfull as the resort of great numbers every day in the Term to the ordinarie Courts of Justice. They knew no Tumults, Strange! VVas the disorderly appearance of so many thousands people with Staves and Swords crying thorow the streets, *Westminster* Hall, the passage between both Houses (in so much as the Members could hardly passe to and fro) *No Bishops, Down with the Bishops*, no Tumults? VVhat Member is there of either House that saw not those numbers, and heard not those crys? And yet lawfull Assemblies? Were not severall Members of either House assaulted, threatned, and ill intreated? and yet no Tumults? VVhy made the House of Peers a Declaration, and sent it down to the House of Commons, for the suppressing of Tumults, if there were no Tumults? And if there were any, why was not such a Declaration consented to and published? when the attempts were so visible, & the threats so loud to pull down the Abbey at *Westminster*, had we not just cause to apprehend, That such people might continue their work to *Whitehall*? Yet no Tumults? what a strange time are we in, That a few impudent, malicious (to give them no worse term) men should cast such a strange mist of error before the eyes of both Houses of Parliament, as that they either cannot, or will not see how manifestly they injure themselves, by mayntaining these visible untruths? We say no more. By the helpe of God and the Law, we will have Justice for those Tumults,

From excepting (how weightily let every man judge) to what Wee have said, that Declaration proceeds to censure Us for what we have not said, for the prudent Omissions in Our Answer: we forbore to say any thing of the words spoken at *Kensington*, or the Articles against Our dearest Confort; and of the Accusation of the six Members: Of the last we had spoken often, and we thought enough of the other two; having never accused any (though God knows what truth there might be in either) wee had no reason to give any particular Answer.

We doe not reckon our Selfe bereaved of any part of Our Prerogative, which we are pleased freely, for a time, to part with by Bill; yet we must say

say, Wee expressed a great trust in Our two Houses of Parliament, when We devested Our Self of the Power of dissolving this Parliament, which was a just, necessary, and proper Prerogative: But We are glad to heare their Resolution, that it shall not encourage them to doe any thing, which otherwise had not been fit to have bin done: If it do, it will be such a breach of Trust, God will require an Account for at their hands.

For the *Mistake*, We have said so much in it heretofore, and the point is so well understood by all men, that We will waste time no more in that dispute. We never said, There was no such thing as an Ordinance (though Wee know that they have been long dis-used) but that there was never any Ordinance, as can be without the Kings consent; and that is true: and the unnecessary Precedent cited in the Declaration doth not offer to prove the contrary. But enough of that, God and the Law must determine that Business.

Neither hath this Declaration given Us any satisfaction concerning the Votes of the fifteenth and sixteenth of *March* last, which We must declare, and appeal to all the World in the point to be the greatest violation of Our Priviledge, The Law of the Land, The Liberty of the Subject, and the Right of Parliament that can be imagined. One of those Votes is, (and there needs no other to destroy the King and People) *That when the Lords and Commons* (it is well the Commons are admitted to their part in Judicature) *shall declare what the Law of the Land is, the same must be assented to, and obeyed*; that is the sense in few words. Where is every mans Property, every mans Liberty? If a major part of both Houses declare that the Law is, That the younger Brother shall inherit, what is become of all the Families and Estates in the Kingdome? If they declare, That by the Fundamentall Law of the Land, such a rash Action, such an unadvised Word ought to be punished by perpetuall Imprisonment, is not the Liberty of the Subject, *Durante beneplacito*, remediable? That Declaration confesseth, They pretend not to a Power of making new Laws, That without Us, they cannot do that: They need no such Power, if their Declaration can suspend this Statute from being obeyed or executed, and make this Order, which is no Statute, to be obeyed and executed: If they have Power to declare the Lord *Digbie* waiting on Us to *Hampton Court*, and thence visiting some Officers at *Kingston*, with a Coach and six Horses, to be leavying of War, and high Treason: And Sir *John Hothams* defying Us to Our face, keeping Our Town, Fort, and Goods against Us by force of Arms, to be an Act of Affection and Loyalty, what needs a Power of making new Laws? Or is there such a thing as Law left? Wee desire Our good Subjects to marke the Reason and Consequence of these Votes, the progresse they have already made, and how infinite that progresse may be. First, they Vote the Kingdome is in imminent danger (it is above three moneths since they discerned it) from enemies abroad and,

and a Popish and discontented party at home; that is matter of Fact; the Law followes: This Vote hath given them Authoritie by Law (the Fundamentall Lawes of the Kingdome) to order and dispose of the *Militia* of the Kingdome, and with this Power, and to prevent that danger, to enter into Our Townes, seize upon Our Magazine, and by force keepe both from Us: Is not this Our Case? Firſt, they Vote Wee have an intention to leavy Warre againſt Our Parliamt; that is matter of Fact: Then they declare, Such as ſhall aſſiſt Us to be guilty of high Treason; that is the Law, and proved by two Statutes, themſelves know to be repealed: No matter for that; They declare it. Upon this ground they exerciſe the *Militia*, and ſo actually doe that upon Us, which they have Voted Wee intend to doe upon them: Who doth not ſee the confuſion that muſt follow upon ſuch a Power of declaring? If they ſhould now Vote, That Wee did not write this Declaration, but that ſuch an one did it, which is ſtill matter of Fact; and then declare, That for ſo doing hee is an enemy to the Common-wealth; what is become of the Law that man was borne to? And if all their zeale for the defence of the Law, bee but to defend that which they declare to bee Law, their owne Votes, it will not bee in their Power to ſatiſfie any man of their good intentions to the publicke Peace, but ſuch who are willing to relinquish his title to *Magna Charta*, and hold his life and fortune by a Vote of a major part of both Houſes: In a word, Wee deny not but they may have power to declare in a particular doubtfull caſe regularly brought before them, what Law is; but to make a generall Declaration, whereby the knowne Rule of the Law may be croſſed or altered, they have no Power, nor can exerciſe any, without bringing the life and libertie of the Subject to a lawleſſe and arbitrary ſubjection.

Wee complaind (and let the World judge the Juſtice and neceſſity of that Complaint) of the multitude of Seditious Pamphlets and Sermons. And that Delaration tells Us, They know Wee have wayes enough in Our ordinary Courts of Juſtice to puniſh thoſe: So Wee have to puniſh Tumults and Riots, and yet they will not ſerve Our turne to keepe Our Townes, Our Forreſts, and Parkes from violence. And it may be, though thoſe Courts have ſtill the power to puniſh, they may have loſt the ſkill to define what Riots and Tumults are; otherwiſe a Jury in *Somſetſhire*, legally impanelled to examine a Riot there, would not have been Superſeded, and the Sheriffe enjoyned not to proceed, by vertue of an Order of the Houſe of Commons; which it ſeemes at that time had the ſole power of declaring. But it is no wonder, That they who could not ſee the Tumults, doe not conſider the Pamphlets and Sermons, though the Author of the *Proteſtation Proteſted*, be well knowne to be *Burton*

(that infamous disturber of the peace of this Church and State) and that he preached it at *Westminster*, in the hearing of divers Members of the House of Commons: But of such Pamphlets, and seditious Preachers (divers whereof have been recommended, if not imposed upon severall Parishes, by some Members of both Houses, by what Authority We know not) Wee shall hereafter take a further account.

We confesse, We have little skill in the Lawes and those that have had most, We now find are much to seeke: Yet We cannot understand or beleve, That every ordinary Court, or any Court, hath power to rattle what Guard they please, and under what command they please; Neither can We imagine what dangerous effects they found by the Guard wee appointed them, or (indeed) any the least occasion why they needed a Guard at all.

But of all the Imputations so causelessly and unjustly laid upon us by that Declaration, we must wonder at that charge so apparently and evidently untrue, That such are continually preferred and countenanced by Us, who are Friends, or Favourers, or related unto the chiefe Authors and Actors of that Arbitrary power heretofore practised and complained of: And, on the other side, That such as did appeare against it, are daily discountenanced and disgraced. We would know one Person that contributed to the Ills of those Times, or had dependance upon those that did, whom we doe, or lately have countenanced or preferred. Nay, we are confident (and we looke for no other at their hands) as they have been alwayes most eminent Assertors of the publike Liberties, so if they found us inclined to any thing not agreeable to Honour and Justice, they would leave us to morrow: whether different Persons have not, and doe not receive countenance else where, and upon what grounds, let all men judge; and whether we have not been forward enough to honour and preferre those of the most contrary opinion, how little comfort so ever we have had of those preferments; in bestowing of which, hereafter we shall be more guided by mens Actions then Opinions: And therefore we had good cause to bestow that Admonition (for we assure you it was an Admonition of Our owne) upon both Our houses of Parliament, to take heed of inclining, under the specious shews of necessity and danger, to the exercise of such an Arbitrary power they before complained of: The Advice will doe no harme, and we shall be glad to see it followed.

And are all the specious promises, and loud professions, of making us a great and glorious King; of settling a greater Revenue upon us, then any of Our Ancestors have enjoyned; of making us to bee honoured at home, and feared abroad, resolved into this; That they will be ready to settle Our Revenue in an Honourable Proportion, when We shall put Our Selfe in such a

posture of Government that Our Subjects may bee secure to enjoy Our just Protection for their Religion, Lawes, and Liberties? What Posture of Government they intend We know not, nor can We imagine what security Our good Subjects can desire for their Religion, Lawes, and Liberties, which Wee have not offered, or fully given. And is it sutable to the duty and dignitie of both Houses of Parliament to Answer Our particular weighty Expressions of the Causes of Our Remove from *London* (so generally knowne to the Kingdome) with a Scoffe, That they hope We were driven from thence, not by Our owne Feares, but by the feares of the Lord *Digby*, and his Retinue of Cavaliers? Sure the Penner of that Declaration inserted that ungrave and insolent Expression (as he hath done divers others) without the consent or examination of both Houses; who would not so lightly have departed from their former professions of duty to Us.

Whether the way to a good understanding betweene Us and Our People hath been as zealously pressed by them, as it hath beene professed and desired by Us, will be easily discerned by those who observe, that Wee have left no publike Act undone on Our part, which, in the least degree, might be necessary to the Peace, Plenty, and Security of Our Subjects, and that they have not dispatched one Act which hath given the least evidence of their particular Affection and Kindnesse to Vs: But on the contrary, have discountenanced and hindered the testimony other men would give to Us of their affections: Witnesse the stopping and keeping backe the Bill of Subsidies granted by the Clergy, almost a yeere since, which though Our personall wants are so notoriously known, they will not to this time passe: So not onely forbearing to supply Us themselves, but keeping the Love and Bounty of other men from Us, and afford no other Answers to all Our desires, all Our Reasons (indeed not to be answered) then, That We must not make Our understanding or Reason the rule of Our Government, but suffer Our Selfe to be assisted (which We never denied) by Our great Councell. We require no other Liberty to Our Will, then the meanest of them doe (VVe wish they would alwayes use that Liberty) not to consent to any thing evidently contrary to Our Conscience and Understanding: And We have, and shall alwayes give as much estimation and regard to the Advice and Counsell of both Our Houses of Parliament, as ever Prince hath done: But Wee shall never (and VVe hope Our People will never) account the contrivance of a few (Factious, Seditious persons, a Malignant Party, who would sacrifice the Common-wealth to their owne fury and ambition) the wisdom of Parliament; And that the justifying and defending such persons (of whom, and of their particular sinister wayes to compass their owne bad ends, VVe shall shortly informe the world) is not the way to preserve

Parliaments, but is the opposing and preferring the consideration of a few unworthy persons, before their Duty to their King, or their care of the Kingdom. They would have Vs remember that Our Resolutions doe concerne Kingdoms, and therefore not to be moulded by Our owne Vnderstanding: We well remember it; But VVe would have them remember, That when their Consultations endeavour to lessen the Office and Dignity of a King, they meddle with that which is not within their determination, and of which We must give an account to God and Our other Kingdomes, and must maintaine with the sacrifice of Our life.

Lastly, That Declaration tells you of a present desperate and malicious Plot of the Malignant Party is now aising, under the plausible Notions of stirring men up to a care of preserving the Kings Prerogative, maintaining the Discipline of the Church, upholding and continuing the Reverence and Solemnity of Gods Service, and encouraging Learning, (indeed plausible and honourable Notions to ast any thing upon) and that upon these grounds divers mutinous Petitions have been framed in *London, Kent,* and other places. Upon what Grounds would these men have Petitions framed? Have so many Petitions (even against the Forme and Constitution of the Kingdome, and the Lawes established) been joyfully received and accepted, and shall Petitions framed upon these Grounds bee called Mutinous? Hath a multitude of meane, unknowne, inconsiderable, contemptible Persons about the Citie and Suburbs of *London*, had liberty to Petition against the Government of the Church, against the Booke of Common-Prayer, against the Freedome and Priviledge of Parliament, and been thanked for it: and shall it be called Mutiny in the gravest and best Citizens of *London*, in the Gentry and Communitie of *Kent*, to frame Petitions upon these grounds; and to desire to be governed by the knowne Laws of the Land, not by Orders and Votes of either, or both Houses? Can this be thought the Wisdome and Justice of both Houses of Parliament? Is it not evidently the worke of a Faction within or without both Houses, who deceive the Trust reposed in them, and have now told Vs what Mutinie is, to stirre men up to a Care of preserving Our Prerogative, maintaining the Discipline of the Church, upholding and continuing the Reverence and Solemnity of Gods Service, encouraging of Learning, is Mutiny? Let Heaven and Earth, God and Man judge between Vs and these Men. And however such Petitions are there called Mutinous, and the Petitioners Threatened, Discountenanced, Censured and Imprisoned: If they bring such lawfull Petitions to Vs, VVe will graciously receive them, and defend them and their Rights against what power soever, with the uttermost hazard of Our being.

VVe have beene the longer (to Our very great paine) in this Answer, that

VVe

VVe might give the world satisfaction, even in the most triviall Particulars which have beene objected against Vs: and that wee may not bee againe reproached with any more prudent Omissions. If wee have beene compelled to sharper Language then we affect, let it be considered, how vile, how insufferable Our Provocations have been; And except to repell Force be to assault, and to give punctuall and necessary Answers to rough and insolent Demands be to make Invectives, we are confident the world will accuse us of too much Mildnesse; and all Our good Subjects will thinke, VVe are not well dealt with, and will judge of Vs, and of their owne happinesse and security in us by Our Actions; which we desire may no longer prosper, or have a blessing from God upon them and us, then they shall be directed to the glory of God, in the maintenance of the true Protestant Profession, to the preservation of the property and the liberty of the Subject, in the observation of the Laws, and to the maintenance of the Rights and Freedome of Parliament, in the allowance and protection of all their just Priviledges.

A Letter sent from the Kings Majesty to the Lords of His Privy Councell of the Kingdome of Scotland.

CHARLES R.

Right trusty and wel-beloved Cousins, and Counsellers, We greet you well. Although we have already written Our mind to you Our Councell; yet upon our second thoughts, arising especially from some bad rumours, comming to Our knowledge, We find it necessary both for Our Selfe, and for the good of that Our Kingdome, to declare, and make knowne both Our disposition and desires more fully.

VVe know and feele the charge to be great, and the place to be high, wherein God (the King of kings) hath placed Vs, and that VVe must render an accompt of all Our actions to him, who in his owne time shall judge all men without exception of persons. VVe have no other intentions, but by Our government, to honour him by whom Kings raigne, and to procure the good of Our people; and for this end to preserve the right and authority wherewith God hath vested Vs, and which by his Providence hath beene derived to Vs, by many Princely Progenitors: in the which glory that Our

ancient Kingdome, and native Realme of *Scotland* doth participate.

VVe did not require of you, that you should sit as Judges upon the affaires of another Kingdome: VVe onely intended to have both Our sufferings and Our actions, (as they are exprest in many papers past betwixt Vs and Our Parliament) made throughly knowne unto you: that since VVe have none besides you whom VVe can acquaint with Our proceedings, you may clearly see that VVe have beene so farre from wronging Our Parliament of *England*, that VVe have given them all satisfaction, even above that which they themselves in the beginning did expresse, or almost desire: And as much as could well consist with the safety of Our Person and Honour. We will not put you in minde of your naturall affection towards Vs, which VVe know will rather be kindled then extinguished by Our distresse: Nor of your Covenant wherein you are zealous of Our Greatnesse and Authority, and which standeth in that sense wherein you did sweare and subscribe it: Nor of the many good Laws made in Our late Parliament (of which VVe hope the present and the succeeding generations shall reape the fruits, when VVe are dead and gone:) Nor of the many promises made to Vs, upon which VVee were willing to yeeld to such things for settling the Government of that Our Kingdome, in Our personall absence, which neither could VVee have granted, nor would you have craved (as your selves did professe) had Our greater affaires permitted Our residence amongst you. And whereas VVe are most unjustly blamed and calumniated, 1. That VVe are popishly affected: 2. That VVee are the cause of the blood-shed in *Ireland*: 3. That VVe intend to bring in forraigne Forces: VVe here doe protest and declare in presence of him who knows the most secret of Our intentions and actions, that VVe are no wayes conscious to Our Selfe of the guiltinesse of any of the said aspersions: And doe take him to witnesse Our innocency therein, who onely hath the priviledge to be the searcher of hearts. And if any after so full and plaine profession shall distrust this Our free Declaration, VVe attest God, that the fault is in the malignity of their rebellious humours, and no wayes deserved on Our part.

Given at Our Court at York, the 20 of May, 1642.

The Petition of the Nobilitie, Gentry, Burrowes, Ministers, and Commons.

To the right honourable the Lords of His Majesties
most honourable Privy Councell.

Humbly sheweth,

That whereas the Kings most Sacred Majesty, His Royall Zeale, and constant Resolution of maintaining the true Religion, and preserving the Laws and Liberties of these His Kingdomes is so undoubted, that to call it in question after so many reiterated Professions and Asseverations emitted in his Majesties Declarations and Answers, with deep Attestations of the dreadfull Searcher of the hearts, as witnesse of the sincerity of his Royall heart, could not be conceived in any but an unchristian distrustfulness; and in us his Majesties Subjects of this his ancient and native Kingdom, the height of disloyalty and ingratitude, if we should harbour any scruple or thought to the contrary, having so many real and recent evidences of his Majesties Royall Goodnesse, Justice, and Wisdom, in settling and establishing the true Religion, and the Laws and Liberties of this His Kingdom, to the full satisfaction of all his good Subjects: And neverthelesse, perceiving by his Majesties Declarations and other printed Papers, that foule and malicious aspersions are cast upon his Majesty, tending to brand his Sacred Person, and to deprave his Royall Government: And understanding by his Majesties late Letter sent unto your Lordships, That his Majesty out of his singular goodnesse and desire to enjoy the hearts of his people of this his native Kingdom, free of all Jealousies and Prejudices, hath been pleased to cleare his Royall Intentions and Actions from those Calumnious Imputations: And therefore justly challengeth from us that humble respect due to his sacred Majesty, by so many Tyes and Titles, and so much professed and promised by us with solemn Oaths in Our Nationall Covenant and Oath at his Majesties Coronation; We conceive our selves bound in duty to God Almighty, by whose great Name we have sworn to defend and maintain the Person, Greatnesse, and Authority of our dread Sovereign as Gods Viceparent, to the uttermost of our power, with our means and lives, in every cause which may concern his honour, as may appeare by that which by Warrant of the Asse of Generall Assembly we have all sworn and signed, and to our King and Countrey, and to that we owe to our honour and reputation, to represent to your Lordships the humble

humble desires we have to expresse and make known to his Majestie and all the world, that we are fully satisfied and perswaded of his Majesties Royall zeale and Resolution, and that malice and detraction cannot prevaile to make the least impression in Our Loyall hearts of Jealousie or distrust.

And therefore we have taken the boldnesse humbly to petition your Lordships for our selves, and in name and behalfe of all others who will adhere to this our Petition, that as his Majesty has graciously condescended in his Letter to your Lordships, and printed by your Warrant, for satisfaction of his good subjects, to expresse his Royall goodnesse and desire that all grounds of jealousy or mistaking may be kept and removed out of the hearts of his good Subjects of this Kingdome.

So it may please your Lordships to thinke upon some course, that his Majesty reciprocally may be cleered and assured of our constant affection and resolution to keep our solemn and Nationall Oath, and that we are not so unthankfull to God or to his Vicegerent, nor so little tender of our own honour and credit, as to forget so soone that duty incumbent to us by so many obligations, and so often promised by us in our foresaid solemn Oaths, which are published to the view of all the world, and we are confident that in so doing we cannot be misconstrued, as if we intended any thing to the prejudice of that Brotherly and blessed Conjunction of the two Nations, happily united by Allegiance and loyall subjection to one Sovereign and Head, and solemnly confirmed by His Majesties own consent, by Acts of Parliament of both Kingdoms, or to foment Jealousies and mistakings at home amongst our selves, foring our desire neither of it selfe doth tend, nor by us is intended (as wee attest God the searcher of all hearts) for any other end but for the performance of that humble duty to our dread and Native King, to which we conceive our selves strictly bound by all the Tyes of Nature, Christianity, and Gratitude; and therefore we doubt not but all his Majesties good Subjects will joyne with us in this our humble and just desire; and that your Lordships in the deepness of your Wisedomes will contribute hereto: And your Lordships Answer most humbly we crave;

To the Kings most Excellent Majestie,
The Humble Petition of the Lords and Commons assembled in Parliament, May the 23. 1642.

Your Majesties loyall Subjects, the Lords and Commons in this Parliament, do humbly represent unto Your Majesty, That notwithstanding
 Your

Your frequent professions to Your Parliament, and the Kingdom, and the late expression in Your answer of the 13 of *May* to the Petition of the County of *Tork*, that Your desire and intencion is only the preserving of the true Protestant profession, the *Laws* of the Land, the Liberty of Your people, and the peace of the Kingdom; Neverthelesse, with great grief, we perceive by Your Speech of the 12 of *May*, and the Paper printed in Your Majesties Name, in the form of a Proclamation, bearing date the 14 of *May*, and other evidences, that under colour of raising a Guard to secure Your Person, of which Guard (considering the fidelity and care of your Parliament) there can be no use, Your Majesty doth command Troops both of horse and foot to assemble at *Torke* the very beginnings whereof were apprehended by the Inhabitants of that County to be an affrightment and disturbance of Your Majesties liege people, as appears by their Petition presented to Your Majesty, the continuing and increase of which Forces is to Your Parliament, and must needs be a just cause of great Jealousie and danger to Your whole Kingdom.

Therefore we do humbly beseech Your Majesty to disband all such forces as by Your command are assembled, and relying for Your security (as Your Predecessors have done) upon the *Laws* and the affections of Your people, You will be pleased to desist from any further designs of this nature, contenting Your Self with Your usuall and ordinary Guards; otherwise we shall hold our selves bound in duty towards God, and the trust reposed in us by the people, and the Fundamentall *Laws* and Constitutions of this Kingdom, to employ our care and utmost power to secure the Parliament and to preserve the peace and quiet of the Kingdom.

Die Veneris, 20 Maii. 1642.

Resolved upon the Question.

1. **T**hat it appears, That the King, (seduced by wicked Counsell) intends to make Warre against the Parliament, who in all their consultations and actions have proposed no other end unto themselves but the care of his Kingdomes, and the performance of all duty and loyalty to His Person.

Resolved upon the Question.

2. That whensoever the King maketh Warre upon the Parliament, it is a breach of the trust reposed in Him by His people, contrary to His Oath, and tending to the dissolution of this Government.

Resolved upon the Question.

3. *That whosoever shall serve, or assist Him in such Warres, are Traitors by the Fundamentall Laws of this Kingdom and have been so adjudged by two Acts of Parliament, and ought to suffer as Traitors.* 11. Rich. 2. 1. Hen. 4.

Joh. Brown Cler. Parliament.

His Maiesties Answer.

V**V**E cannot but extreemly wonder, that the causlesse Jealousies concerning Us, raised and fomented by a Malignant party in this Kingdom, which desires nothing more then to snatch to themselves particular advantages out of a generall combustion (which means of advantage shall never be ministred to them by Our fault, or seeking) should not onely be able to seduce a weake party in this Our Kingdom, but seem to finde so much countenance even from both Houses, as that Our raising of a Guard (without further Designe then for the safety of Our Person, an Action so Legall, in Manner so peaceable, upon causes so evident and necessary) should not onely be looked upon and petitioned against by them, as a Cause of Jealousie, but declared to be the raising of a Warre against them, contrary to Our former professions of Our care of Religion and Law. And we no lesse wonder, that this Action of Ours should be said (in a very large expression) to be apprehended by the Inhabitants of this Countrey as an affrightment and disturbance to Our people, having been as well received here, as it is every where to be justified, and (We speak now of the Generall, not of a few seduced particulars) assisted and sped by this Countrey with that loyall Affection and Alacrity, as is a most excellent Example set to the rest of the Kingdome, of the care of Our safety upon all occasions, and shall never be forgotten by Vs, nor We hope by Our Posterity; but shall be ever paid to them, in that which is the proper expression of a Princes gratitude, a perpetuall vigilant care to govern them justly, and to preserve the onely Rule by which they can be so governed, The Law of the Land: And We are confident, That if you were your selves eye-witnesses, ye would so see the contrary, as to give little present thanks, and hereafter little credit to your Informers; and if you have no better intelligence of the inclinations and affections of the rest of the Kingdom, certainly the minds of Our people (which to some ends and purposes you represent) are but ill represented unto you.

Have you so many moneths together not contented your Selves to relye
for

for Security (as your Predecessors have done) upon the Affection of the People, but by your owne single authority raised to your selves a Guard (and that sometimes of no ordinary numbers, and in no ordinary way) and could not all those Pikes and Protestations, that Army on one side, and that Navy on the other, perswade Us to command you to disband your Forces, and to content your selves with your ordinary (that is, no) Guard, or work Us in an opinion that you appeared to leavy Warre against Us, or had any further Designe? And is it possible that the same persons should be so apt to suspect and condemne Us, who have been so unapt in the same matter (upon much more ground) to tax or suspect them? This is our Case. Notwithstanding the care and fidelity of Our Parliament, Our Fort is kept by Armed men against Us, Our proper goods first detained from Us, and then contrary to Our Command, by strong hand, offered to be carried away (in which at once all Our property as a private Person, all Our Authority as a King, are wrested from Us) And yet for Us to secure our Self in a Legal way (that Sir *John Hotham* may not by the same Forces, or by more raised by pretence of the same Authority (for they say he raiseth daily more, and We know it no new thing for him to pretend Orders that he cannot shew) continue the Warre that he hath leavied against Us, and as well imprison Our Person as detain Our goods, and as well shut Vs up in *York*, as shut Vs out of *Hull*) is said to be esteemed a cause of great Jealousie to the Parliament, a raising Warre against them, and of danger to the whole Kingdome: While these Injustices and Indignities offered to Vs are countenanced by them who ought to be most forward in Our Vindication and their punishment, in observation of their Oaths and of the trust reposed in them by the people, and to avoyd the dissolution of the present Government: Vpon which Cate the whole world is to judge, whether We had not reason, not wholly to rely upon the Care and Fidelity of Our Parliament, being so strangely blinded by Malignant spirits, as not to perceive Our injuries, but to take some care of Our Own Person, and in Order to that, to make use of that Authority which the Laws declare to be in Vs: And whether this Petition, with such a threatening Conclusion, accompanied with more threatening Votes, gives Vs not cause rather to increase then diminish Our Guards, especially since We saw before the Petition on a printed paper dated the 17. of *May*, underwritten *Hen. Elsing Cler. Domus Com.* commanding (in the name of both Lords and Commons) the Sheriffs of all Our Counties, to raise the power of all those Our Counties to suppress such of Our Subjects, as by any of Our Commands shall be drawn together, and put (as that paper calls it) in a posture of warre, charging Our Officers and Subjects to assist them in the performance thereof at their perils:

perils: for though We cannot suspect that this Paper (or any bare Votes ~~are~~ grounded upon Law or Reason, or quotations of repealed Statutes) should have any ill influence upon Our good people; who know their duties too well, not to know that to take up Armes against those, who upon a Legall Command, (that is, Ours) come together to a most Legall end, (that is, Our security and preservation) were to leavy warre against Us, and who appear in this County (and We are confident they are so throughout the Kingdom) no lesse satisfied with the Legality, Conveniency, and Necessity of these Our Guards, and no lesse sensible of the indignities and dangers (which makes it necessary) then We are Our Self; yet if that paper be really, the Act of both Houses. We cannot look upon it but as the highest of scornes and indignities. First to issue Commands of Force against Vs, and after those have appeared uselesse, to offer by Petition to perswade Vs to that which that force should have effected.

We conclude this Answer to your Petition with Our counsell to you, That you joyn with Vs in exacting satisfaction for that unparalleled, and yet unpunished Action of Sir *John Holbams*, And that you command Our Forreign Goods to be returned to Our own hands, That you lay down all pretences (under pretence of necessity, or declaring what is Law) to make Laws without Vs, and by consequence, but a Cypher of Vs. That you declare effectually against Tumults, and call in such Pamphlets (punishing the Authors and Publishers of them) as seditiously endeavour to disable Vs from protecting Our people, by weakning, by false aspersions, and new false doctrines, Our Authority with them, and their confidence in Vs: The particulars of which tumults and pamphlets, We would (long since) have taken care that Our learned Councell should have been enabled to give in evidence, if, upon Our former Offer, We had received any return of encouragement from you in it. And if you do this, you then (and hardly till then) will perswade the world, that you have discharged your duty to God, The trust reposed in you by the people, and the Fundamentall Laws and Constitutions of the Kingdom, And imployed your care and utmost power to secure the Parliament, (for We are still a part of the Parliament, and shall be till this well founded Monarchy be turned to a Democracy) And to preserve the peace and quiet of the Kingdom, which together with the defence of the Protestant profession, The Laws of the Land, and Our own just Prerogative. (as a part of, and a defence to those Laws) have been the main end, which in Our Consultations and Actions We proposed to Our Self.



The third Remonstrance,

May the 26. 1642.

Although the great affairs of this Kingdom, and the miserable bleeding condition of the Kingdom of *Ireland*, affords us little leisure to spend our time in Declarations, and in Answers and Replies, yet the Malignant party about His Majesty, taking all occasions to multiply Calumnies upon the Houses of Parliament, and to publish sharp invectives under His Majesties Name against them and their proceedings, (a new Engine which they have invented to heighten the destructions of this Kingdom, and to beget and increase distrust and disaffection between the King and His Parliament, and the people) we cannot be so much wanting to our own Innocency, or to the duty of our Trust, as not to clear our selves from those false aspersions, and (which is our chiefest care) to disabuse the Peoples mindes, and open their eyes that under the false shewes and pretexts of the Law of the Land, of their own Rights and Liberties, they may not be carried into the Road way that leadeth to the utter ruine and subversion thereof. A late occasion that these wicked spirits of division have taken to defame, & indeed to arraigne the proceedings of both Houses of Parliament, hath been from our Votes of the 28 of *April*, and our Declaration concerning the businesse of *Hull*, which because we put forth, before we could send our Answer concerning that matter unto His Majesty, those mischievous Instruments of dissention, between the King, the Parliament and the people, whose chief labour and study is to misrepresent our Actions to His Majesty and to the Kingdom, would needs interpret this as an appeal to the people, and a declining of all Intercourse between His Majesty and us, as if we thought it to no more purpose to endeavour any to give him satisfaction, and without expecting any longer our answer, under the name of a Message from his Majesty to both Houses, they themselves have indeed made an appeal to the people, as the Message it self doth in a manner grant it to be, offering to joyn issue with us in that way, and in the nature thereof, doth clearly shew it self to be no other; Therefore we shall likewise addressse our Answer to the Kingdom, not by way of appeal, (as we are charged) but to prevent them from being their own executioners, and from being perswaded under false colours of defending the Law, and

their owne Liberties to destroy both with their own hands, by taking their lives, Liberties, and Estates out of their hands, whom they have chosen and entrusted therewith, and resigning them up unto some evill Counsellors about His Majesty, who can lay no other foundation of their own greatnesse but upon the ruin of this, and in it of all Parliaments, and in them of the true Religion, and the freedome of this Nation. And these are the men that would perswade the people, that both Houses of Parliament containing all the Peers, and representing all the Commons of *England*, would destroy the Laws of the Land and Liberty of the People, wherein besides the trust of the whole, they themselves in their own particulars, have so great an interest of honour and estate, That we hope it will gain little credit with any, that have the least use of reason, that such as must have so great a share in the misery, should take so much pains in the procuring thereof, and spend so much time, and run so many hazards to make themselves slaves, and to destroy the property of their Estates: But that we may give particular satisfaction to the severall imputations cast upon us, we shall take them in Order as they are laid upon us in that Message.

First, We are charged for the avowing of that Act of Sir *John Hoibam*, which is termed unparalleld, and an high and unheard of Affront unto His Majestie, and as if we needed not to have done it, he being able, as is alleadged, to produce no such command of the Houses of PARLIAMENT.

Although Sir *John Hoibam* had not an Order that did expresse every circumstance of that case, yet he might have produced an Order of both Houses which did comprehend this Case, not onely in the cleer intention, but in the very words thereof, which knowing in our Consciences to be so, and to be most necessary for the safety of the Kingdom, we could not but in honour and justice avow that Act of his, which we are confident will appeare to all the World to be so far from being an affront to the King, that it will be found to have been an act of great loyalty to his Majesty and to his Kingdom.

The next Charge upon us is, That instead of giving his Majesty satisfaction, we published a Declaration concerning that businesse, as an appeal to the people, and as if our intercourse with his Majesty, and for his satisfaction, were now to no more purpose, which course is alleadged to be very unagreeable to the modesty and duty of former times, and not warrantable by any Presidents, but what our selves have made.

If the Penner of this Message had expected a while, or had not expected, that two Houses of Parliament, (especially burthened as they are at this
time

time with so many pressing and urgent affairs) should have moved as fast as himselfe, he would not have said that Declaration was instead of an Answer to His Majesty, which we did dispatch with all the speed and diligence we could, and have sent it to His Majesty by a Committee of both Houses, whereby it appears that we did it not upon that ground, that we thought it was no more to any purpose, to endeavour to give His Majesty satisfaction.

And as for the duty and modesty of former times from which we are said to have varied, and to want the warrant of any presidents therein, but what our selves have made: but if we have made any presidents this Parliament, we have made them for posterity, upon the same or better grounds of reason and Law then those were upon, which Our Predecessors first made any for us, and as some Presidents ought not to be rules for us to follow; so none can be limits to bound our proceedings, which may and must vary according to the different condition of times, and for this particular of setting forth Declarations for the satisfaction of the people, who have chosen and entrusted us with all that is dearest to them, if there be no example for it, it is because there were never any such Monsters before, that ever attempted to disaffect the people from a Parliament, or could ever harbour a thought that it might be effected; Were there ever such Practices to poison the people with an ill apprehension of the Parliament? Were there ever such imputations and scandals laid upon the Proceedings of both Houses? Were there ever so many, and so great breaches of Priviledge of Parliament? Were there ever so many and so desperate designs of force and violence against the Parliament, and the Members thereof? If We have done more then ever our Ancestors have done, we have suffered more then ever they have suffered, and yet in Point of modesty and duty we shall not yield to the best of former times, and we shall put this in issue, whether the highest and most unwarrantable Presidents of any of His Majesties Predecessors, do not fall short and much below what hath been done unto Us this Parliament? And on the other side, whether if we should make the highest Presidents of other Parliaments our Patterns, there would be cause to complain of want of Modestie and Dutie in Us, when we have not so much as suffered such things to enter into Our Thoughts, which all the World knows they put in Act.

Another Charge which is laid very high upon Vs (and which were indeed a very great Crime if we were found guilty thereof) is that by avowing this Act of Sir *John Hosham*, we do in consequence confound
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and destroy the title and interest of all His Majesties good Subjects to their Lands and Goods, and that upon this ground, That His Majesty hath the same title to His Town of *Hull*, which any of His Subjects have to their Houses or Lands, and the same to His Magazin and Munition there, that any man hath to his money, plate, or jewels, and therefore that they ought not to have been disposed of without or against his consent, no more then the house, land, money, plate, or jewels, of any Subject ought to be withdrawn or against his will.

Here that is laid down for a principle, which would indeed pull up the very Foundation of the liberty, property, and interest of every Subject in particular, and of all the Subjects in generall, if we should admit it for a truth, that His Majesty hath the same right and title to His Towns and to His Magazin (bought with the publike moneyes, as we conceive that at *Hull*, to have been) that every particular man hath to his house, lands, and goods; for His Majesties Towns are no more His own, then His Kingdom is his own, and His Kingdom is no more His own then His people are His own, and if the King hath a property in all His Towns, what would become of the Subjects propriety in the ir houses therein? and if he had a propriety in His Kingdom, what would become of the Subjects property in their lands throughout the Kingdom, or of their liberties if His Majesty had the same right in their persons that every Subject hath in their lands, or goods? and what should become of all the Subjects interest in the Towns and Forts of the Kingdom, and in the Kingdom it self, if His Majesty might sell or give them away, or dispose of them at His pleasure, as a particular man may do with his lands and with his goods? This erroneous maxim, being infused into Princes, that their Kingdoms are their own, and that they may do with them what they will (as if their Kingdoms were for them, and not they for their Kingdoms) is the Root of all the Subjects misery, and of the invading of their just Rights and Liberties, where as indeed they are only intrusted with their Kingdoms, and with their Townes, and with their People, and with the publike treasures of the Commonwealth, and whatsoever it bought therewith and by the known Law of this Kingdom, the very Jewels of the Crown are not the Kings proper goods, but are only intrusted unto Him for the use and Ornament thereof. As the Townes, Forts, Treasure, Magazin, Offices, and the People of the Kingdom and the whole Kingdome it selfe is intrusted unto Him for the good and safety and best advantage thereof; and as this trust is for the use of the Kingdom, so ought it to be managed by the advice of the Houses of Parliament, whom the Kingdome hath trusted for that purpose, it being their duty to see it be discharged

discharged according to the condition and true intent thereof, and as much as in them lyes by all possible means to prevent the contrary, which if it hath been their chiefe care and only Aym in the disposing of the Town and Magazin of *Hull*, in such manner as they have done, they hope it will appeare cleerly to all the World, that they have discharged their owne trust, and not invaded that of His Majesties, much lesse his property, which in this case they could not do.

But admitting His Majestie had indeed had a property in the Towne and Magazin of *Hull*, who doubts but that a Parliament may dispose of anything wherein His Majesty or any Subjects hath a right, in such a way, as that the Kingdome may not bee exposed to hazard or danger thereby, which is our case in the disposing of the Towne and Magazine of *Hull*: And whereas His Majesty doth allow this and a greater power to a Parliament, but in that sence only as hee himselfe is a part thereof, wee appeale to every mans conscience that hath observed our proceedings, whether wee dis-joynd His Majesty from His Parliament, who have in all humble wayes sought his concurrence with us, as in this particular about *Hull*, and for the removall of the Magazin there, so also in all other things; or whether these evill Counsells about him, have not separated him from his Parliament, not onely in distance of place, but also in the discharge of this joynt trust with them for the peace and safetie of the Kingdome in this and some other particulars.

Wee have given no occasion to His Majesty to declare His resolution with so much earnestnesse, that hee will not suffer either or both Houses by their Votes, without or against His consent to enioyne any thing that is forbidden by the Law, or to forbid any thing that is enioyned by the Law. For our Votes have done no such thing: and as wee shall be very tender of the Law, (which wee acknowledge to be the safeguard and custody of all publicke and private interestes) so wee shall never allow a few private persons about His MAJESTY, nor His MAJESTY Himselfe in His owne Person, and out of his Courts to bee Judge of the Law, and that contrary to the judgement of the highest Court of Judicature: In like manner that His Majesty hath not refused to consent to any thing that might bee for the peace and happinesse of the Kingdome, wee cannot admit it in any other sence, but as His Majesty taketh the measure of what will bee for the peace and happinesse of the Kingdome from some few ill affected persons about him contrary to the advice and judgement of His great Councell of Parliament. And because the advice of both Houses of Parliament, hath through the suggestions of evill Counsellours beene so much under-valued of late,

and so absolutely rejected and refused, wee hold it fit to declare unto the Kingdom (whose Honour and Interest is so much concerned in it) what is the Priviledge of the great Councell of Parliament herein, and what is the Obligation that lyeth upon the Kings of this Realme to passe such Bills as are offered unto them by both Houses of Parliament, in the name, and for the good of the whole Kingdome whereunto they stand engaged both in conscience and in justice to give their Royall Assent; in conscience, in respect of the Oath that is, or ought to be taken by the Kings of this Realm at their Coronation, as well to confirm by their Royall Assent such good Laws as their people shall choose, and to remedy by Law such inconveniences as the Kingdom may suffer, as to keep and protect the Laws already in being, as may appear both by the Form of the Oath upon Record, and in books of good Authority, and by the Statute of 25. Edw. 3. intituled, *The Statute of Provisors of Benefices*; the Form of which Oath, and the Clause of that Statute concerning it, are as followeth:

ROT. PARLIAM. H. 4. N 17.

Forma juramenti soliti & consueti prastari per Reges Anglia in eorum Coronatione.

Servabis Ecclesia Dei, Cleroq; & populo pacem ex integro, & concordiam in Deo secundum vires tuas?

Respondebit, Servabo.

Facies fieri in omnibus judiciis tuis equam, & rectam justitiam, & discretionem in misericordia & veritate, secundum vires tuas?

Respondebit, Faciam.

Concedis justas leges & consuetudines esse tenendas, & promittis per te eas esse protegendas, & ad honorem Dei corroborandas quas vulgus elegerit, secundum vires tuas?

Respondebit, Concedo & promitto.

Adjicianturque predictis interrogationibus qua justa fuerint, prænunciatioque omnibus confirmet Rex se omnia servaturum Sacramento super Altari prastito coram cunctis.

A Clause in the Preamble of a Statute made 25. Edw. 3. intituled, *The Statute of Provisors of Benefices.*

Whereupon the said Commons have prayed our said Lord the King, That with the Right of the Crown of England, and the Law of the said Realm in such, that upon the mischiefs and damages which happen to this Realme be ought, and is bound by his Oath, with the accord of his people in his Parliament, thereof to make remedy and Law, and in removing the mischiefs and damages which thereof ensue, that it may please him thereupon to ordain remedy.

Our Lord the King seeing the mischiefs and damages before mentioned, and having regard to the Statute made in the time of his said Grand-father, and to the causes contained in the same, which Statute holdeth alwayes his force, and was never defeated, repealed, nor adnulled in any point, and by so much he is bounden by his Oath to cause the same to be kept as the Law of his Realm, though that by sufferance and negligence it hath been sithence attempted to the contrary; also having regard to the grievous complaints made to him by his people in divers his Parliaments holden heretofore, willing to ordain remedy for the great damages and mischiefs which have happened, and daily do happen to the Church of *England* by the said cause.

Here the Lords and Commons claime it directly as the Right of the Crowne of *England*, and of the Law of the Land, and that the King is bound by his Oath, with the accord of his people in Parliament, to make remedy and Law upon the mischiefs and damages which happen to this Realme; and the King doth not deny it, although he take occasion from a Statute formerly made by his Grand-father, which was laid as part of the grounds of this Petition, to fix his Answer upon another branch of his Oath, and pretermits that which is claimed by the Lords and Commons, which he would not have done, if it might have been excepted against.

In Justice they are obliged thereunto, in respect of the Trust reposed in them, which is as well to preserve the Kingdome by the making of new Lawes where there shall bee need, as by observing of Lawes already made. A Kingdome being many times as much exposed to ruine for the want of a new Law, as by the violation of those that are in being, and this is so cleere a Right, that no doubt his Majestie will acknowledge it to be as due unto his people as his protection; but how far forth hee is obliged to follow the judgement of his Parliament therein, that is the question. And certainly besides the words in the Kings Oath, referring unto such Lawes as the people shall choole, as in such things which concerne the publike Weale, and good of the Kingdom, they are the most proper Judges, who are sent from the whole Kingdome for that very purpose; so wee doe not finde, That since Lawes have passed by way of Bills (which are read thrice in both Houses, and committed, and every part and circumstance of them fully weighed and debated upon the Commitment, and afterwards passed in both Houses) that ever the Kings of this Realme did deny them, otherwise then is expressed in that usuall Answer, *Le Roy l'a visé*, which signifies rather a suspension then a refusal of the Royall Assent: and in those other Lawes which are framed by way of Petitions of Right, the Houses of Parliament have

taken themselves to be so farre Judges of the Rights claimed by them, that when the Kings Answer hath not in every point been fully according to their desire, they have still insisted upon their claime, and never rested satisfied till such time as they had an answer according to their demand, as was done in the late Petition of Right, and in former times upon the like occasion, and if the Parliament be Judge between the King and His people in the Question of right (as by the manner of the claime in Petitions of Right, and by judgements in Parliament, in Cases of illegall Impositions and Taxes, and the like it appeareth to be) why should they not bee so also in the question of the common good, and necessary of the Kingdome, wherein the Kingdome hath as cleere a right also to have the benefit and remedy of Law, as in any thing whatsoever? and yet wee doe not deny but in private Bills, and also in publique Acts of Grace, as Pardons and the like Grants of Favour, His MAJESTIE may have a greater latitude of granting or denying as he shall thinke fit.

All this considered, we cannot but wonder that the Contriver of this Message, should conceive the people of this Land to be so void of common sense, as to enter into so deepe a mistrust of those that they have, and His Majestie ought to repose so great a trust in, as to despaire of any security in their private Estates by Discents, Purchases, Assurances, or Conveyances, unlesse His Majestie should by His Vote prevent the prejudice they might receive therein, by the Votes of both Houses of Parliament: As if they who are especially chosen and intrusted for that purpose, and who themselves must needs have so great a share in all grievances of the Subject, had wholly cast off all care of the Subjects good, and His MAJESTIE had solely taken it up; And as if it could bee imagined that they should by their Votes overthrow the Rights of Discents, Purchases, or of any Conveyance or Assurance, in whose judgement the whole Kingdome hath placed all their particular Interesses, if any of them should be called in question in any of those Cases, and that (as knowing not where to place them with greater security) without any Appeale from them to any other person or Court whatsoever.

But indeed wee are very much to seeke how the case of Hull should concerne Discents, and Purchases, or Conveyances, and Assurances, unlesse it be in procuring more security to men in their private Interesses by the preservation of the whole from confusion and destruction, and much lesse doe wee understand how the Sovereigne Power was resisted and despised therein; Certainly no command from His Majesty, and His high

high Court of Parliameht (where the Sovereigne power resides) was disobeyed by Sir *John Horham*, nor yet was His Majesties Authority derived out of any other Court, nor by any legall Commission, or by any other way, wherein the Law hath appointed His Majesties commands to bee derived to his Subjects, and of what validity His verball Commands are, without any such stamp of His Authoritie upon them, and against the Order of both Houses of Parliament, and whether the not submitting thereunto be a resisting and despising of the Sovereign Authority, we leave it to all men to judge, that doe at all understand the Government of this Kingdome.

We acknowledge that His Majestie hath made many expressions of His zeale and intentions against the desperat designs of Papiſts, but yet it is also as true, that the Counsels which have prevailed of late with him, have been little ſutable to those expressions and intentions : For what doth more advance the open and bloody designe of the Papiſts in *Ireland*, (whereon the secret plots of the Papiſts here doe in all likelihood depend) then His Majesties absenting Himselfe, in that manner that he doth from His Parliament, and setting forth such sharp Invectives against them, notwithstanding all the humble Petitions, and other meanes which His Parliament hath addressed upon him for His returne, and for his satisfaction concerning their proceedings? And what was more likely to give a rise to the designs of Papiſts (whereof there are so many in the North, neere to the Towne of *Hull*) and of other Malignant and ill-affected persons, (which are ready to joync with them) or to the attempts of Forreigners from abroad, then the continuing of that great Magazin at *Hull* at this time, and contrary to the desire and advice of both Houses of Parliament? so that wee have too much cause to believe that the Papiſts have still some way and meanes, whereby they have influence upon His MAJESTIES Counsells for their own advantage.

For the Malignant party His Majestie needeth not a definition of the Law, nor yet a more full Character of them from both Houses of Parliament for to finde them out, if hee will please onely to apply the Character that Himselfe hath made of them to those unto whom it doth properly and truly belong; Who are so much dis-affected to the peace of the Kingdome, as they that endeavour to dis-affect His MAJESTIE from the Houses of Parliament, and perswade him to be at such a distance from them both in place and affection? Who are more dis-affected to the Government of the Kingdome, then such as lead His MAJESTIE away from hearkning to His Parliament, which

by the Constitution of this Kingdome, is his greatest and best Councell, and perswade him to follow the malicious Counsell of some private men, in opposing and contradicting the wholesome advices, and just proceedings of that his most faithfull Councell and highest Court? Who are they that not onely neglect and despise, but labour to undermine the Law, under colour of maintaining of it, but they that endeavour to destroy the fountaine and conservatory of the Law, which is the Parliament? and who are they that set up rules for themselves to walke by, then such as are according to Law, but they that will make other Judges of the Law, then the Law hath appointed, and so dispench with their obedience, to that which the Law calleth Authority, and to their determinations and resolutions to whom the judgement doth appertain by Law? For when private persons shall make the Law to bee their Rule, according to their owne understandings, contrary to the judgement of those that are the competent Judges thereof, they set up unto themselves other Rules then the Law doth acknowledge: who these persons are, none knoweth better then His Majestie himselfe: And if hee will please to take all possible caution of them, as destructive to the Common-wealth, and himselfe, and would remove them from about him, it would bee the most effectuall meanes to compose all the distractions, and to cure the distempers of this Kingdome.

For the Lord *Digby* his Letter, wee did not make mention of it as a ground to hinder His Majestie from visiting his owne Fort, but wee appeale to the judgement of any indifferent man that shall reade that Letter, and compare it with the posture that his Majestie then did, and still doth stand in towards the Parliament, and with the circumstances of that late action of his Majesty, in going to *Hull*, whether the advisers of that Journey intended onely a visite of that Fort and Magazine. As to the wayes and overtures of Accommodation, and the Message of the 20 of *January* last, so often pressed, but still in vaine, as is alledged; our Answer is, That although so often as the Message of the 20 of *January* hath beene pressed, so often have our Priviledges beene cleerly infringed, that a way and method of proceeding should be prescribed unto us, as well for the settling of his Majesties Revenue, as for the presenting of our owne desires (a thing which in former Parliaments hath alwayes been excepted against, as a breach of Priviledge) yet in respect to the matter contained in that Message, and out of our earnest desire to beget a good understanding between his Majesty and us, we swallowed downe all matters of circumstance, and had ere this time presented the chiefe of our desires

desires to His Majestie, had wee not beene interrupted with continuall denials even of those things that were necessary for our present security and subsistence, and had not those denyals beene followed with perpetuall invectives against us and our proceedings, and had not those invectives been heaped upon us so thicke one after another, (who were already in a manner wholly taken up with the pressing affaires of this Kingdome, and of the Kingdome of *Ireland*) that as wee had little encouragement from thence to hope for any good Answers to our desires, so wee had not so much time left us to perfect them in such a manner as to offer them unto His Majesty.

We confesse it is a Resolution most worthy of a Prince, and of His Majesty, to shut His eares against any that would incline Him to a civill Warre, and to abhorre the very apprehension of it; But wee cannot helieve that minde to have been in them that came with His Majestie to the House of Commons, or in them that accompanied His Majesty to Hampton Court, and appeared in a warlike manner at *Kingston upon Thames*, or in divers of them that followed His Majesty now lately to *Hull*, or in them that after drew their Swords at *Torke*, demanding who would be for the King; Nor in them that advised His Majestie to declare *Sir John Horham* a Traytor before the Message was sent concerning that businesse to the Parliament, or to make Propositions to the Gentlemen of the County of *Torke*, to assist His Majestie to proceed against him in a way of force, before he had, or possibly could receive an answer from the Parliament, to whom hee had sent to demand justice of them against *Sir John Horham* for that fact; and if those malignant spirits shall ever force us to defend our Religion, the Kingdome, the Priviledges of Parliament, and the rights and liberties of the Subjects, with our Swords, the bloud and destruction that shall ensue thereupon must be wholly cast upon their account, God and our owne Consciences tell us that we are cleare, and wee doubt not but God and the whole World will cleare us therein.

For Captaine *Legg*, we did not say that he was accused, or that there was any Charge against him from the bringing up of the Army, but that he was employed in that businesse. And for that concerning the Earle of *Newcastle* mentioned by His Majesty, which is said to have beene asked long since, and that it is not easie to be answered: Wee conceive that it is a question of more difficulty, and harder to be answered. Why, when his Majestie held it necessary, upon the same grounds that first moved from the Houses of Parliament, That a Governour should be placed in that Towne, *Sir John Horham*, a Gentleman of knowne Fortune and integrity,

integrity, and a person of whom both Houses of Parliament had expressed their confidence, should bee refused by His Majesty, and the Earle of Newcastle (who by the way was so farre named in the business of the bringing up the Army, that although there was not ground enough for a judiciall proceeding, yet there was ground of suspicion, at least his reputation was not left so unblemished thereby, as that he should be thought the fittest man in England for that imployment of Hull) should be sent downe in a private way from His Majesty to take upon him that Government, and why hee should disguise himselfe under another name, when he came thither, as he did. But whosoever shall consider, together with these circumstances, that of the time when Sir John Hotham was first appointed by both Houses of Parliament to take upon him that imployment, which was presently after His Majesties comming to the House of Commons, and upon the retyring of Himselfe to *Hampton Court*, and the Lord Digbys assembling of Cavaliers at *Kingston upon Thames*, will finde reason enough why that Towne of Hull should be committed rather to Sir John Hotham, by the authority of both Houses of Parliament, then to the Earle of Newcastle, sent from His Majesty in that manner that he was. And for the power that Sir John Hotham hath from the Houses of Parliament, the better it is knowne and understood, we are confident the more it will be approved of and justified: And as we do not conceive that His Majesties refusall to have that Magazin removed could give any advantage against him, to have it taken from him, and as no such thing is done, so wee cannot conceive for what other reason any should counsell His Majesty not to suffer it to be removed, upon the desire of both Houses of Parliament, except it be that they had an intention to make use of it against them.

We did not except against those that presented a Petition to His Majesty at *York* for the continuance of the Magazin at Hull, in respect of their condition, or in respect of their number, because they were meane persons, or because they were few; but because they being but a few, and there being so many more in the County of as good quality as themselves (who have by their Petition to His Majesty disavowed that act of theirs) that they should take upon them the stile of all the Gentry and Inhabitants of that County, and under that title should presume to interpose their advice contrary to the Votes of both Houses of Parliament; and if it can be made to appear that any of these Petitions that are said to have been presented to the Houses of Parliament, and to have been of a strange nature, were of such a nature as that, we are confident that they were never received with our consent and approbation.

Whether there was an intention to deprive Sir *John Hotham* of his life if his Majesty had been admitted into *Hull*; and whether the Information were such, as that he had ground to believe it, we will not bring it into question; for that was not, nor thought to have been the ground for doing what he did; neither was the number of his Majesties Attendants, for being more or fewer, much considerable in this case: For although it be true, That if his Majesty had entred with twenty Horse onely, he might haply have found means for to have forced the entrance of the rest of his Train, who being once in the Towne, would not have been long without Arms, yet that was not the ground that Sir *John Hotham* was to proceed upon, but upon the admittance of the King into the Towne at all; so as to deliver up the Towne and Magazine unto him, and to whomsoever he should give the Command thereof, without the knowledge and consent of both Houses of Parliament, by whom he was entrusted to the contrary; & his Majesty having declared that to be his intention concerning the Town in a Message that he sent to the Parliament not long before he went to *Hull*, saying, That he did not doubt but that Town should be delivered up to him, whensoever he pleased, as supposing it to be kept against him: and in like manner concerning his Magazine, in his Message of the four and twentieth of April, wherein it is expressed, That his Majesty went thither with a purpose to take into his hands the Magazine, and to dispose of it in such manner as he should thinke fit: upon these terms, Sir *John Hotham* could not have admitted his Majesty, and have made good his Trust to the Parliament, though his Majesty would have entered alone, without any Attendants at all of his own, or of the Prince or Duke his sons, which we do not with to belesse then they are in their number, but could heartily wish that they were generally better in their conditions.

In the close of this Message, his Majesty states the case of *Hull*, and thereupon inferreth, That the Act of Sir *John Hotham* was leavying of War against the King, and consequently, That it was no lesse then high Treason, by the letter of the Statute of 35 *Edw. 3. cap. 2.* unlesse the sense of that Statute be very far indiffering from the letter thereof.

In the stating of this Case, divers particulars may be observed, wherein it is not rightly stated: As first, That his Majesties going to *Hull* was onely an endeavour to visit a Town and Fort of his; whereas it was indeed to possesse himselfe of the Towne and Magazine there, and to dispose of them as he himselfe should thinke good, without, and contrary to the Advices and Orders of both Houses of Parliament, as doth cleerly appeare by his Majesties own Declaration of his

intentions therein, by his Messages to both Houses immediately before and after that journey. Nor can we believe that any man that shall consider the circumstances of that journey to *Hull*, can thinke that his Majesty would have gone thither at that time, and in that posture, that he was pleased to put himselfe in towards the Parliament, if he had intended only a visit of the Towne and Magazin. Secondly, it is said to be his Majesties owne Towne, and his owne Magazine: which being understood in that sense as was before expressed, as if his Majesty had a private interest of propriety therein, we cannot admit it to be so. Thirdly, (which is the maine point of all) Sir *John Hotham* is sayd to have shut the gates against his Majesty, and to have made resistance with armed men in defiance of his Majesty; whereas it was indeed in obedience to his Majesty and his authority, and for his service and the service of the Kingdom, for which use only, all that interest is that the King hath in the Town; and it is no further his to dispose of, then he useth it for that end: And Sir *John Hotham* being commanded to keepe the Town and Magazine for His Majesty and the Kingdome, and not to deliver them up, but by his Majesties authority signified by both Houses of Parliament, all that is to be understood by those expressions of his denying and opposing his Majesties entrance, and telling him in plain terms he should not come in, was onely this, That he humbly desired his Majesty to forbear his entrance, till he might acquaint the Parliament, and that his authority might come signified to him by both Houses of Parliament, according to the trust reposed in him. And certainly, if the letter of the Statute of 25, *Edw. 3. cap. 2.* be thought to import this, That no War can be levyed against the King, but what is directed and intended against his Person, or that every levying of Forces for the defence of the Kings Authority, and of his Kingdome, against the personall commands of the King opposed thereunto, though accompanied with his presence, is levying War against the King, it is very farre from the sense of that Statute; and so much the Statute it selfe speaks (besides the authority of Book-cases, presidents of divers Traitors condemned upon that interpretation thereof.) For if the Clause of levying of War had been meant only against the K. Person, what need had there been thereof, after the other branch of Treason in the same Statute of Compassing the Kings death, which would necessarily have implied this? and because the former Clause doth imply this, it seems not at all to be intended in this latter branch, but only the levying of War against the King, that is, against his Lawes and Authority; and the levying of War against his Laws and Authority, though not against his Person, is levying War against the King; but the levying of Force against his Personall commands, though accompanied with his presence, and not against his Lawes and Authority,

but in the maintenance thereof, is no levying of War against the King, but for him. Here is then our case; In a time of so many successive plots and designs of force against the Parliament and Kingdome; in a time of probable invasion from abroad, and that to begin at *Hull*, and to take the opportunity of seizing upon so great a Magazine there, in a time of so great distance and alienation of his Majesties affections from his Parliament, and in them from his Kingdome, which they represent, by the wicked suggestions of a few malignant persons, by whose mischievous counsels he is wholly away his from his Parliament, and their faithfull advices and counsels; In such a time the Lords and Commons in Parliament command Sir *John Horham* to draw in some of the trained Bands of the parts adjacent to the Towne of *Hull*, for the securing of that Towne and Magazine, for the service of his Majesty and of the Kingdome; of the safety whereof there is a higher trust in them, than any where else, and they are the proper Judges of the danger thereof.

This Town and Magazine being entrusted to Sir *John Horham*, with expresse order not to deliver them up, but by the Kings Authority signified by both Houses of Parliament; His Majesty, contrary to advice and direction of both Houses of Parliament, without the authority of any Court, or of any legal way wherein the Law appoints the King to speak & command, accompanied with the same evill counsell about him that he had before, by a verball command requires Sir *John Horham* to admit him into the Towne, that he might dispose of it, and of the Magazine, there according to his owne, or rather according to the pleasure of those evill Counsellours, who are still in so much cred it about him; In like manner as the Lord *Digby* hath continuall recourse unto, and countenance from the Queens Majesty in *Holland*, by which means he hath opportunity still to communicate his Traiterous suggestions and conceptions to both their Majesties, such as those were concerning his Majesties retyring to a place of strength, and declairing himselfe, and his own advancing of his Majesties service in such away beyond the seas, and after that resorting to his Majesty in such a place of strength; and divers other things of that nature, contained in his Letter to the Queens Majesty, and to Sir *Lewis Dives*, a person that had not the least part in this late businesse of *Hull*; and was presently dispatcht away into *Holland*, soon after his Majesties return from *Hull*, for what purpose we leave the world to judge.

Upon the refusall of Sir *John Horham* to admit his Majesty into *Hull*, presently without any due processe of Law, before his had Majesty sent up the narration of his fact to the Parliament, he was proclaimed Traitor; and yet it is sayd, that therein is no violation of the Subjects right, nor any

breach of the Law, nor of the Priviledge of Parliament; though Sir *John Horham* be a Member of the House of Commons, and that his Majesty must have better reason than bare Votes to believe the contrary. Although the Votes of the Lords and Commons in Parliament, being the great Councell of the Kingdom, are the reason of the King and of the Kingdome, yet these Votes do not want cleere and apparent reason for them: For if the solemne proclaiming a man a Traytor signifie any thing, it puts a man, and all those that any way ayde, assist, or adhere unto him, in the same condition of Traytors, and draws upon him all the consequences of Treason: And if this may be done by Law, without due Proesse of Law, the subject hath a very poore defence of the Law, and a very small, if any proportion of Liberty thereby; and it is as little satisfaction to a man that shall be exposed to such penalties, by that declaration of him to be a Traytor, to say he shall have a legall Tryall afterwards, as it is to condemne a man first, and try him afterwards.

And if there can be a necessity for any such proclaiming a man a Traytor without due Proesse of Law, yet there was none in this case; for His Majesty might have as well expected the Judgement of Parliament (which was the right way) as he had leisure to send them to demand Justice against Sir *John Horham*. And the Breach of Priviledge of Parliament is as cleere in this case, as the subversion of the Subjects common Right: For though the Priviledges of Parliament do not extend to those cases mentioned in the Declaration, of Treason, Felony, and Breach of the peace, so as to exempt the Members of Parliament from punishment, nor from all manner of Proesse and Tryall, as it doth in other cases, yet it doth priviledge them in the way and method of their Tryall and punishment, and that the Parliament should have the cause first brought before them, that they may judge of the Fact, and of the Grounds of the Accusation, and how farre forth the manner of their Tryall may concerne or not concerne the priviledge of Parliament; otherwise it would be in the power not onely of His Majesty, but of every private man, under pretensions of Treasons or those other Crimes, to take any man from his service in Parliament, and so as many, one after another, as he pleaseth, and consequently to make a Parliament what he will, when he will; which would be a Breach of so essentiall a priviledge of Parliament, as that the very being thereof depends upon it: and therefore we no wayes doubt, but every one that hath taken the protestation, will, according to his solemne Vow and Oath, defend it with his life and fortunes. Neither doth the sitting of a Parliament suspend all or any Law, in maintaining that Law which upholds the privi-

priviledge of Parliament, which upholds the Parliament, which upholds the Kingdome: And we are so farre from believing that His Majesty is the only person against whom treason cannot be committed, that in some sense we acknowledge he is the only Person against whom it can be committed, that is, as He is King, and that treason which is against the Kingdome is more against the King, then that which is against His Person, because He is King: for that very treason is not treason as it is against Him as a man, but as a man that is a King; and as He hath relation to the Kingdome, and stands as a Person intrusted with the Kingdome, and discharging that trust. Now the case is truly stated, and all the world may judge where the fault is, although we must avow that there can be no competent Judge of this or any the like case but a Parliament, and we are as confident, that His Majesty shall never have cause to resort to any other Court or Course, for the vindication of His just priviledges, and for the recovery and maintenance of His knowne and undoubted Rights, if there should be any invasion or violation thereof, then to His high Court of Parliament. And in case those wicked Counsellors about Him shall drive him into any other Course from and against His Parliament, what ever are His Majesties expressions and intentions, we shall appeal to all mens consciences, and desire that they would lay their hands upon their hearts, and thinke with themselves, whether such persons as have of late and still do resort to His Majesty, and have His ear and favour most, either have beene or are more zealous Assertors of the true Protestant profession (although we believe they are more earnest in the Protestant profession, then in the protestant Religion) or of the Law of the Land, the liberty of the Subject, and the Priviledges of the Parliament, then the Membe of both Houses of Parliament, who are insinuated to be the Destroyers, if not the destroyers, of them: And whether if they could master this Parliament by force, they would not hold up the same power to deprive Us of all Parliaments, which are the ground and Pillar of the Subjects Liberty, and that which onely maketh *England* a free Monarchy.

For the Order of Assistance to the Committees of both Houses, as they have no directions or instructions, but what have the Law for their limits, and the safety of the Land for their ends; so we doubt not but all persons mentioned in that Order, and all his His Majesties good Subjects, will yeeld obedience to his Majesties Authority signified therein by both Houses of Parliament: And that all men may the better know their duty in matters of that nature, and upon how sure a ground they goe that follow the judgement of Parliament for
 their

their guide, we wish them judiciously to consider the true meaning and ground of that Statute made in the eleventh yeer of *Hen. 7. cap. 1.* which is Printed at large in the end of His Majesties Message of the fourth of *May*. This Statute provides, that none that shall attend upon the King, and do him true service, shall be attainted or forfeit any thing. What was the scope of this Statute? To provide that men should not suffer as Traytors for serving the King in his Warres according to the duty of their Allegiance: If this had been all, it had been a very needlesse and ridiculous Statute: Was it then intended (as they may seem to take the meaning of it to be. that caused it to be Printed after His Majesties Message,) that they should be free from all crime and penalty that should follow the King and serve Him in Warre in any case whatsoever; whether it were for or against the Kingdom, and the Laws thereof? that cannot be, For that could not stand with the duty of their Allegiance, which in the beginning of this Statute is expressed to be, to serve the King, for the time being, in His Warres, for the defence of Him and the Land; and therefore if it be against the Land, (as it cannot be understood to be otherwise if it be against the Parliament, the representative body of the Kingdom) it is a declining from the duty of Allegiance, which this Statute supposeth may be done, though men should follow the Kings Person in the War; otherwise there had been no need of such a proviso in the end of this Statute, that none should take benefit thereby that should decline from their Allegiance. That therefore which is the principle Verbe in this Statute, is *the serving of the King for the time being*, which cannot be meant of a *Perkin Warbeck*, or any that should call himself King: But such a one as whatever his Title might prove, either in himself or in his Ancestors, should be received and acknowledged for such by the Kingdom, the consent whereof cannot be discerned but by Parliament: the Act whereof is the Act of the whole Kingdom by the personall suffrage of the Peers, and the delegate consent of all the Commons of *England*: And *Henry* the seventh a wise King, considering that what was the case of *Richard* the third his Predecessor, might by chance of Battell be His own, and that He might at once by such a Statute as this, satisfie such as had served His predecessor in His Warres, and also secure those that should serve him, who might otherwise feare to serve him in the Warres, lest by chance of Battell that might happen to Him also (if a Duke of *Yorke* had set up a Title against Him) which had happened to His predecessor: he procured this Statute to be made, that no man should be accounted a Traytor for serving the King in His Warres for the time being; that is, which was for the present allowed and received by the Parliament in behalfe of the Kingdome, and as it is

truely suggested in the preamble of the Statute. It is not agreeable to reason or conscience that it should be otherwise, seeing men should be put upon an impossibility of knowing their duty, if the judgement of the highest Court should not be a rule and guide to them; and if the judgement thereof should be followed, where the question is, who is King, much more, what is the best service of the King and Kingdome, and therefore those that shall guide themselves by the judgement of Parliament, ought, what ever happen, to be secure and free from all account and penalties, upon the grounds and equity of this very Statute.

We shall conclude, that although those wicked Counsellors about His Majesty, have presumed under His Majesties Name to put that dishonour and affront upon both Houses of Parliament, as to make them the countenancers of Treason; enough to have dissolved all the bands and sinews of confidence betweene His Majesty and His Parliament, (of whom the Maxime of the Law is, That a dishonourable thing ought not to be imagined of them) yet we doubt not but it shall in the end appeare to all the World, that our endeavours have beene most hearty and sincere, for the maintenance of the true Protestant Religion, the Kings just prerogatives, the Laws and Liberties of the Land, and the priviledges of Parliament, in which endeavours by the grace of God we will still persist, though we should perish in the worke: which if it should be, it is much to be feared, That Religion, Laws, Liberties and Parliaments, would not be long-lived after us.

Die Sabbathi. 4 Iunii. 1642.

Sir Walter Erl, Sir Peter Wentworth, Sir Samuel Rolle, Master Arthur Goodwyn, Master Pury, Master Noble.

THis Committee, or any three of them, are appointed to consider of the best way of putting the publike Orders and Votes of the House in execution, and of divulging, dispersing, and publishing the said Orders and Votes, and also the Declarations of the House, through the Kingdom, and of the well and true Printing of them: And have power to employ Messengers, as they shall see occasion, and to make them allowances, and to sit, when, and where they please.

H. Elfyng Cler. Parl. Dom. Comi.

His

His Majesties Answer to a Printed Booke, entituled, *a Remonstrance, or, The Declaration of the Lords and Commons now Assembled in Parliament, the 26 of May, 1642. In Answer to a Declaration under His Majesties Name concerning the businesse of Hull.*

THough whosoever looks over the late Remonstrance, entituled, *A Declaration of the Lords and Commons, of the 26 of May*, will not thinke We have much reason to be pleased with it; yet we cannot but commend the plaine dealing and ingenuity of the Framers and Contrivers of that Declaration (which hath been wrought in a hotter and quicker Forge then any of the rest) who would no longer suffer Us to be affronted, by being told, *They would make Vs a great and glorious King*, whilst they used all possible skill to reduce Us to extreame want and Indigency; and that *They would make Vs to be loved at home, and feared abroad*, whilst they endeavoured, by all possible wayes to render Us odious to Our good Subjects, and contemptible to all Forraign Princes; but like Round dealing men tell Us in plain English, *That they have done Vs no wrong*, because we are not capable of receiving any; And, *That they have taken nothing from Vs*, because We had never any thing of Our own to lose. If this doctrine be true, and that indeed We ought to be of no other consideration then they have informed Our people in that Declaration; that Gentleman is much more excusable, that said publicly (unreproved) *That the happinesse of this Kingdom doth not depend on Vs, or upon any of the Royall Branches of that Root*; And the other, who said, *We were not worthy to be King of England*: Language very monstrous to be allowed by either House of Parliament, and of which, by the helpe of God and the Law, We must have some Examination. But we doubt not, all Our good Subjects do now plainly discern, through the Mask and Vizard of their hypocrisie, what their Designe is, and will no more looke upon the Framers and Contrivers of that Declaration, as upon both Houses of Parliament (whose Freedome and just priviledges We will alwayes maintaine, and in whose behalfe We are as much slandered as for Our Selfe) but as a Faction of Malignant, Schismaticall, and Ambitious persons, whose designe is, and alwayes hath been, to alter the whole frame of Government both of Church and State, and to subject both King and people to their owne Lawlesse Arbitrary power and Government; of whose Persons, and of whose Designe, We shall, within a very short time, give Our good Subjects, and the world, a full, and (We hope) a satisfactory Narration.

The Contrivers and Penners of that Declaration (of whom wee would be onely understood to speak, when we mention any of their undutiful Acts against us) tell you, That the great Affaires of this Kingdom, and the miserable and deplorable condition of the Kingdom of Ireland, will afford them little leisure to spend their time in Declarations, Answers, and Replies; Indeed the miserable and deplorable condition of both Kingdoms would require somewhat else at their hands: But we would gladly know, how they have spent their time since their Recesse (now almost eight moneths) but in Declarations, Remonstrances, and Investives against Us and Our Government, or in preparing matter for them. Have We invited them to any such expence of time, by beginning Arguments of that nature? Their leisure, or their Inclination is not as they pretend; And what is their Printing and Publishing their Petitions to Us, their Declarations and Remonstrances of Us, their odious Votes and Resolutions, sometimes of one, sometimes of both Houses, against us (never in this manner communicated before this Parliamēt) but an Appeal to the People? And, in Gods Name, let them judge of the Persons they have trusted.

Their first Quarrell is (as it is always, to let them into their franke Expressions of us and Our Actions) against the *Malignant Party*, whom they are pleased still to call, and never to prove to be Our evill Counsellors; but indeed, nothing is more evident by their whole Proceedings, then that by the *Malignant Party* they intend all the Members of both Houses, who agree not with them in their opinion (hence have come their distinction of good and bad Lords, Of persons ill affected of the House of Commons, who have beene proscribed, and their names listed and read in Tumults) and all the persons of the Kingdome, who approve not of their Actions; So that if in truth, they would be ingenuous, and name the persons they intend, who would be the Men (upon whom that Imputation of *Malignity* would be cast) but they, who have stood stoutly and immutably for the Religion, the Liberties, the Laws, for all publike Interests (so long as there was any to be stood for) They, who have alwayes been, and are as zealous Professors, and (some of them) as able and earnest Defenders of the Protestant Doctrine against the Church of Rome, as any are, Who have often and earnestly besought us to consent, That no indifferēt and unnecessary Ceremony might be pressed upon weak and tender Consciences, and That We would agree to a Bill for that purpose; They, to whose Wisdom, Courage, and Counsell the Kingdome oweth as much as it can to Subjects, and upon whose unblemished Lives Envy it self can lay no Imputation, nor endeavoured to lay any, untill their Vertues brought them to Our Knowledge and Favour. Let the Contrivers of this Declaration be faithfull to themselves, and consider all those Persons of both Houses, whom they, in their own Consciences, know to dissent from them in the Matter and Language of that Declaration, and in all those

those undutifull Actions of which We complain ; And will they not be found in honour, Fortune, Wisdom, Reputation and Weight (if not in number) much Superiour to them ? So much for the evill Counsellors, Now, what is the evill Counsell it self ? Our comming from *London* (where Wee, and many, whose Affections to Us are very eminent, were in danger every day to be torn in pieces) to *Torke*, where We, and all such who will put themselves under Our protection, may live (We thank God, and the loyalty and affection of this good people) very securely : Our not submitting Our Selfe absolutely (and renouncing Our own Understanding) to the Votes and Resolutions of the Contrivers of that Declaration when they tell Us, *They are above Vs, and may* (by Our Own Authority) *doe with Vs what they please* ; and Our not being contented, that all Our good Subjects Lives and Fortunes shall be disposed of by their Votes, but by the known Law of the Land : This is the evill Counsell given and taken. And will not all men believe there needs much power and skill (of the *Malignant Party*) to infuse this Counsell into Us ? And now apply the Argument the Contrivers of that Declaration makes for themselves : *is it probable, or possible that such men whom We have mentioned (who must have so great a share in the misery) should take such pains in the procuring thereof, and spend so much time, and run so many hazards, to make themselves Slaves, and so raise the Freedom of this Nation ?* We say, with a cleer and upright Conscience to God Almighty, Whosoever harbours the least thought in his brest of Ruining or Violating the publike Liberty or Religion of this Kingdome, or the just Freedome and Priviledge of Parliament, let him be accursed ; and hee shall be no Counsellour of Ours that will not say, *Amen*. For the Contrivers of that Declaration, We have not said any thing which might imply any inclination in them to be Slaves : That which We have charged them, is with invading the publike Liberty, and Our presumption may be very strong and vehement, that (though they have no minde to be Slaves) they are not unwilling to be Tyrants : (What is Tyranny, but to admit no Rule to Govern by but their own wils ?) And We know the misery of *Athens* was at the highest, when it suffered under the 30 Tyrants.

If that Declaration had told us (as indeed it might, and as in Justice it ought to have done) that the Presidents of any of Our Ancestours did fall short and much below what hath been done by us this Parliament in point of Grace and Favour to Our People, Wee should no otherwise have wondred at it, then at such a truth, in such a place : But when to justifie their having done more then ever their Predecessours did, it tells Our good Subjects (as most injuriously, most insolently it doth) *That the highest and most unwarrantable Presidents of any of Our Predecessors doe fall short, and much below what hath beene done to them this Parliament by Vs*, Wee must confesse Our Self amazed, and not able to under-

stand them : And We must tell those ungratefull men (who dare tell their King, *That they may without want of Modesty and Duty Depose him*) that the condition of Our Subjects, when (by whatsoever Accidents and Conjunctions of time) it was at worst, under Our Power, unto which (by no default of Ours) they shall be ever againe reduced, was by many degrees, more pleasant and happy, then that to which their furious pretence of Reformation hath brought them: Neither are We afraid of the highest Presidents of other Parliaments, which these men boldly (Our good Subjects will call it worse) tell us, *They might without want of Modesty and Duty, make their Patterns*: If Wee had no other security against those Presidents, but their Modesty and Duty, Wee were in a miserable condition, as all Persons will be who depend upon them.

That Declaration will not allow Our Inference, That by Avowing the Act of Sir John Hotham, they do destroy the Title and Interest of all our Subjects to their Lands and Goods; but confesseth, *if they were found guilty of that Charge, it were indeed a very great Crime*. And doe they not in this Declaration admit themselves guilty of this very Crime? Doe they not say, *Who doubts but that a Parliament may dispose of any thing, wherein Wee or Our Subjects have a Right in such a way as that the Kingdom may not be in danger thereby*? Do they not then call themselves *This Parliament*, and challenge this Power without Our Consent? Do they not extend this Power to all Cases, where the necessity, or the common good of the Kingdom is concerned? And doe they not arrogate unto themselves alone the judgement of this Danger, this Necessity, this Common Good of the Kingdom? What is, if this be not to unsettle the Security of all Mens Estates, and to expose them to an Arbitrary Power of their owne? If a Faction shall at any times by Cunning, or Force, or Absence, or Accident prevaille over a major part of both Houses, and pretend that they are *Evill Counsellors, a Malignant Party* about the King, by whom the Liberty and Religion of the Kingdom are both in danger; This they may do: they have done it: Then they may take away (be it from the King or People) whatsoever they in their judgements shall think fit: This is lawfull, they have declared it so. Let the World judge, whether Wee charge them unjustly, and whether they are not guilty of the Crime, which themselves confesse (being proved) is a great one; and how safely Wee might commit the Power these people desire into their hands, who in all probability, would be no sooner possessed of it, then they would revive that Tragedy which Master Hooker relates of the Anabaptists in Germany, who talking of nothing but Faith and of the true Fear of God, and that Riches and Honour were vanity; at first, upon the great Opinion of their Humility, Zeal and Devotion procured much Reverence and Estimation with the people: After finding how many persons they had ensnared with their Hypocritie, they began to propose to themselves to reforme both the Ecclesia-

Small and Civill Government of the State; Then because possibly they might meet with some opposition, they secretly entered into a League of Association: and shortly after (finding the power they had gotten with the credulous People enriched themselves with all kind of spoyle and pillage, and justified it upon Our Saviours promise, *The mecke shall inherit the earth*; and declared their Title was the same which the Righteous Israelites had unto the goods of the wicked Egyptians; This story is worth the reading at large, and needs no Application.

But We must by no means say, That We have the same Title to Our Town of *Hull*, and the Ammunition there, as any of Our Subjects have to their Land, or Money: That is *A Principle that pulls up the Foundation of the Libertie and Property of every Subject*: Why, pray? *Because the Kings Property in His Towns, and in his Goods, bought with the publike Monie* (as they conceive Our Magazine at *Hull* was) *is inconsistent with the Subjects Property in their Lands, Goods, and Liberty*: Do these men thinke, That as they assume a power of declaring Law, (and whatsoever contradicts that Declaration breaks their Priviledges) so that they have a power of declaring Sense and Reason, and imposing Logicks and Syllogismes on the Schooles, as well as Law upon the People? Doth not all mankind know, That severall men may have severall Rights and Interests in the selfe-same House and Land, and yet neither destroy the other? Is not the Interest of the Lord *Paragonne* consistent with that of the *Messe* Lord, and his with that of the Tenant, and yet their Properties and Interests not at all confounded? And why may not We then have a full lawfull Interest and Property in Our Towne of *Hull*, and yet Our Subjects have a Property in their Houses too? But We cannot sell or give away at Our pleasure Our Towns and Forts, as a private man may doe his Land or Goods: What then? Many men have no authoritie to Let or Set their Leases, or sell their Land, have they therefore no Title to them, or Interest in them? May they be taken from them, because they cannot sell them? the purpose of Our Journey to *Hull* was neither to sell it, or give it away.

But for the Magazine, the Munition there, that We bought with Our own Money, We might surely have sold that lent, or given it away. No, We bought it with the publike Money; and the proofe is, *They conceive it so*; and upon this conceit have Voted That it shall be taken from Us: Excellent Justice! Suppose We had kept this Money by Us, and not bought Arms with it, would they have taken it from Us upon that conceit? Nay, may they not wheresoever this Money is (for through how many hands soever it hath passed, it is the publike Money still, if it ever were) seize it and take it from the Owners? But the Towns, Forts, Magazine, and Kingdom is intrusted to Vs, and We are a Person trusted; We are so, God and the Law hath trusted Vs; and We have taken

ken an Oath to discharge that trust so: the good and safety of Our People : What Oaths they have taken, We know not: unless those which, in this violence, they have manifestly, maliciously violated. May any thing be taken from a man because he is trusted with it? Nay, may the person himselfe take away the thing he trusts, when he will, and in what manner he will? The Law hath been otherwise, and We beleeve will be so held, notwithstanding their Declarations.

But, *This trust ought to be managed by their advice, and the Kingdom hath trusted them for that purpose:* Impossible! That the same trust should be irrevocably committed to Vs and Our Heires for ever, and the same trust, and a power above that trust (for such is the power they pretend) be committed to others: Did not the People that sent them look upon them as a Body but Temporary, and dissoluble at Our Pleasure: And can it be beleeved, that they intended them for Our Guardians and Comptrollers in the managing of that Trust, which God and the Law hath granted to Vs and Our Posterity for ever? What the extent of their Commission and Trust is, nothing can better teach them, then the Writ whereby they are met. We called them (and without that Call they could not have come together) to be Our Counsellors, not comandars; (for however they frequently confound them, the Offices, are severall) and Counsellors, not in all things, but in some things. *De quibusdam arduis*, &c. And they will easily finde amongst their Presidents that Queen Elizabeth, (upon whose Time all good Men look with Reverence) committed one *Wentworth*, a Member of the House of Commons, to the Tower (sitting the House) but for proposing, That they might advise the Queen in a matter she thought they had nothing to do to meddle in. But *We are trusted:* and are We the only Person trusted? And may they do what their own inclination and fury leads them to? Were not they trusted by Vs, when We first sent for them: and were they not trusted by Us, when We passed them Our promise, *That We would not dissolve them?* Can it be presumed (and presumptions go far with them) that We trusted them with a power to destroy Us, and to dissolve Our Government and Authority? If the People might be allowed to make an equitable construction of the Laws and Statutes (a Doctrine avowed by them) would not all Our good Subjects swear, We never intended by that act of continuance, that they should do what they have since done? Were they not trusted by those that have sent them? And were they trusted to alter the Government of Church and State, and to make themselves perpetuall Dictators over the King and People? Did they intend that the Law it self should be subject to their Votes, and that whatsoever they say or do, should be lawfull, because they declare it so? The Oaths which they have taken who sent them, and without taking which themselves are not ca-

pable of their place in Parliament, makes the one incapable of giving, and the other of receiving such a trust; unless they can perswade Our good Subjects, that We are the onely Supreme Head and Governour in all causes, and over all persons, within Our Dominions; and yet that they have a power over Vs to constrain Vs to manage Our Trust, and govern Our Power according to their discretion.

The Contrivers of that Declaration tell Vs, that they will never allow Vs (an humble and dutifull Expression) *to be Judge of the Law; that belongs only to them; they may, and must judge and declare.* We all know what a Power the Pope, under the Pretence of Interpreting Scriptures, and declairing Articles of Faith (though he decline the making the one or the other) hath usurped over mens consciences; and that under colour of having Power of Ordering all things for the good of mens Soules, he Entitles himself to all the Kingdoms in the World. We will not accuse the Framers of this Declaration (how bold soever they are with Vs) that they incline to Popery; of which another Maxime is, That We must submit Our Reason and Vnderstanding (and the Scripture it Self) to that Declaring Power of His: Neither will VVe tell them (though they have told Vs so) that they use the very language of the Rebels of *Ireland*: and yet they say those Rebels Declare, *That whatsoever they do, is for the Good of the King and Kingdom.* But Our good Subjects will easily put the Case to themselves, whether, if the Papists in *Ireland* in truth were, or by Act or Accident had made themselves the major part of both Houses of Parliament there, and had pretended the Trust (in that Declaration) from the Kingdom of *Ireland*, thereupon had voted, Their Religion and Libertie to be in danger of extirpation from a Malignant Party of Protestants and Puritanes; and therefore that they should put themselves into a Posture of defence; That the Forts and *Militia* of that Kingdom were to be put into the hands of such persons as they could confide in; That we were indeed trusted with the Towns, Forts, Magazines, Treasures, Offices, and People of the Kingdom, for the Good, and Safety, and best Advantage thereof: But as this trust is for the use of the Kingdome, so it ought to be managed by the Advice of both Houses of Parliament, whom the Kingdome had trusted for that purpose; it being their duty to see it discharged according to the Condition and true Intent thereof, and by all possible meanes to prevent the contrarie: we say, let all Our good Subjects consider, If that Rebellion had been plotted with this Formalitie, and those Circumstances declared to be Legall (at least, according to the equitable sense of the Law) and to be for the publick good, and justifiable by necessity (of which they were the onely Judges) VWhether, though they might have thought their Designe the more cunning, they would beleieve it the more Justifiable? Nay, let the Farmers of this Declaration aske themselves, If The

Evill Counsellours, the Malignant Party, The Persons ill-affected, the Popish Lords and their Adherents should prove now, or hereafter to be a Major part of both Houses (for it hath been declared a great part of both Houses have been such, and so might have been the greater; nay, that the greater part of the House of Peers was such (and We have not heard of any of their conversions) and thereupon it hath been earnestly pressed, That the Minor part of the Lords might joyne with the Major part of the House of Commons) were VVe bound to consent to all such Alterations as these men should propose to Us, and resolve to be for the publick good? and must the Libertie, Propertie, and Securitie of all Our Subjects depend on what such Votes should declare to be Law? VVas the order of the *Militia*, unfit and unlawfull, whiles the Major part of the Lords refused to joyne in it (as they did two, if not three severall times, and it was never heard, before this Parliament, that they should be so, and so often pressed after a dissent declared) and did it grow immediately necessary for the publike safetie, and lawfull by the Law of the Land as soon as so many of the dissenting Peers were driven away (after their names had been required at the Bar, contrary, to the Freedome and Foundation of Parliaments) that the other Opinion prevailed? Doth the Life and Libertie of the Subject depend upon such Accidents of dayes and houres, that it is impossible for him to know his right in either? God forbid.

But now to justify their Invasion of Our ancient unquestioned, undoubted Right, sealed and established on Us and Our Posterity by God himselfe, confirmed and strengthened by all possible Titles of Compact, Laws, Oaths perpetuall and uncontradicted Custome by Our people, what have they alleadged to *Declare to the Kingdome* (as they say) *the Obligation that lyeth upon the Kings of this Realme to passe all such Bills as are offered unto them by both Houses of Parliament*? (a thing never heard of till this day) an Oath (Authority enough for them to breake all theirs) that is, or ought to be taken by the Kings of this Realme, which is, as well to remedy by Law such inconveniences the Kingdome may suffer, as to keepe and protect the Laws already in being; And the forme of this Oath (they say) appears upon a Record there cited, and by a Clause in the Preamble of a Statute made in the five and twentieth yeare of *Edward* the third.

VVe are not enough acquainted with Records to know whether that be fully and ingeniously cited, and when, how, and why the severall Clauses have been inserted, or taken out of the Oaths formerly administred to the Kings of this Realme; yet VVe cannot possibly imagine the Assertion that Declaration makes can be deduced from the Words, or the Matter of that Oath; For unless they have a power of declaring Latine, as well as Law, sure *Elegerit* signifieth, *Habebissen*, as well as, *Will chuse*; and that it signifieth so here (besides

(besides the Authority of the perpetuall practice of all succeeding Ages (a better Interpreter then their Votes) is evident by the Reference it hath to Customs; *Consuetudines quas vulgus elegit*, and could that be a Custome, which the People should chuse after this Oath taken, and should a King be sworn to defend such Customes? Besides, can it be imagined that he should be bound by Oath to passe such Laws (and such a Law is the Bill they brought to Us of the *Militia*) as should put the Power wherewith he is trusted, out of himselfe In the hands of other men, and deuest and disable Him of all possible power to performe the great businesse of the Oath, which is, To protect them? If We give away all Our Power, or if it be taken from Us, We cannot protect any Man: And what discharge would it be for Us, either before God or Man, (when Our good Subjects, whom God and the Law hath committed to Our charge, shall be worried and spoyled) to say, That We trusted others to protect them; that is, to doe that duty for Us, which is essentially and inseparably Our own? But that all Our good Subjects may see how faithfully these men (who assume this trust from them) desire to discharge their trust; We shall be contented to publish for their satisfaction (a matter notorious enough, but which We Our Selfe never thought to have been put to publish, and of which the Framers of that Declaration might as well have made use, as of a Latine Record they knew many of Our good Subjects could not, and many of themselves doe not understand) the Oath it selfe Wee tooke at Our Coronation, warranted and enjoyned to it by the Custome and directions of Our Predecessors; and the Ceremonie of their and Our taking it, they may find it in the Records of the Exchequer: This it is,

The Sermon being done, the Archbishop goeth to the King, and askes his willingnesse to take the Oath usually taken by his Predecessors.

The King sheweth himselfe willing, ariseth, and goeth to the Altar; The Archbishop administreth these Questions, and the King answers them severally.

Episcopus. Sir, *Will you grant and keepe, and by your Oath confirme to the people of England, the Laws and Customes to them granted by the Kings of England, your Lawfull and Religious Predecessors; and namely the Laws, Customs, and Franchises granted to the Clergie, by the glorious King Saint Edward your Predecessor, according to the Lawes of God the true Profession of the Gospell established in this Kingdome; and agreeable to the Prerogative of the Kings thereof, and the ancient Customes of this Realme?*

Rex. I grant and promise to keepe them.

Episcopus. Sir, *Will you keepe Peace and godly Agreement entirely according to your power both to God, the holy Church, the Clergie, and the People?*

Rex. I will keepe it.

Episcopus. Sir, *Will you (to your power) cause Law, Iustice and Discretion in Mercy and Truth to be executed in all your Iudgements?*

Rex. I will.

Episcopus. Sir, *Will you grant to hold and keepe the Laws and rightfull Customes which the Communitie of this your Kingdome have; and will you defend and uphold them to the honour of God so much as in you lieth?*

Rex. I grant and promise so to doe.

Then one of the Bishops reads this Admonition to the King, before the people, with a loud voyce.

Our Lord and King, We beseech you to Pardon. and to Grant, and to Preserve us, and to the Churches committed to our Charge all Canonically Priviledges, and due Law and Iustice, and that you would Protect and defend us, as every good King, in his Kingdome ought to be Protector and defender of the Bishops and the Churches under their Government.

The King answereth,

With a willing and devout Heart I Promise and grant my Pardon, and that I will Preserve and maintaine to you, and the Churches committed to your charge all Canonically Priviledges, and due Law and Justice, and that I will be your Protector and Defender, to my Power, by the Assistance of God, as every good King, in his Kingdome, in Right ought to Protect and Defend the Bishops, and Churches under their Government.

Then the King ariseth, and is led to the Communion Table, where he makes a solemne Oath, in sight of all the people, to observe the Premisses: And laying his hand upon the Book, saith:

The Oath:

The things which I have before promised, I shall performe and keepe: So help me God, and the Contents of this Book.

Let now all the world judge, whether such Doctrine, or such Conclusions as these Men teach, can follow, or have the least pretence from this Oath.

For the Preamble of the Statute, (they cite) that tells Us, *That the King is bound to remedy by Law the Mischiefes and Damages which happen to his People;* He is so: But is the King bound by the Preamble of that Statute to renounce His own Judgement, His own Understanding, in these Mischiefes, and of those Remedies? How farre forth He is obliged to follow the Judgement of His Parliament, that Declaration still confesseth to be a Question: Without question none can take upon them to remedy, even Mischiefes, but by Law, for feare of greater Mischiefes then those they goe about to remedy.

But We are bound in Iustice to consent to their Proposals, because there is a Trust reposed in Vs to preserve the Kingdome, by making new Laws: We are glad there is so; Then VVe are sure no new Laws can be made without Our consent, and that the gentleness of Our Answer, *Le Roy s'avisera*. if it be no Denyall, is no Consent, and then the Matter is not great. They will allow Us yet *A greater latitude of granting or denying, as We shall thinke fit, in publick Acts of Grace, as Pardons, or the like Grants of Favour*: Why doe they so? If those Pardons and publike Acts of Grace be for the Publick good (which they may Voe they are) they will then be absolutely in their own disposal: But have they left Us this Power? they have sure at least shared it with Us: How else have they got the power to pardon Serjeant-major Generall Skippon (a new Officer of State, and a Subject, We have no authority to send to speake with) and all other persons imployed by them, and such as have imployed themselves for them, not onely for what they have done, but for what they shall doe. If they have power to declare such Actions to be no Treason, which We would not pardon, and such Actions to be Treason, which needs no pardon, the Latitude they allow Vs of granting or denying of Pardons, is a little: they may still be contented to suffer Vs to wear in Our Crown, and never think themselves the more in danger.

All this considered; The Contriver of that Message (since they will afford him no better Title) whom they are angry with, doth not conceive the people of this Land to be so void of common sense, as to believe Vs (who have denied no one thing for the ease and benefit of them, which in Iustice or Prudence could be asked, or in Honour and Conscience could be granted) to have cast off all care of Our Subjects good; and the Framers and Devisers of that Declaration (who have endeavoured to render Vs odious to Our Subjects, and them disloyall to Vs, by pretending such a trust from them) to have onely taken it up: Neither (We are confident) will they be satisfied, when they see the Misery and the burthens which the fury and the malice of those people will bring upon them, with being told that Calamity proceeds from evill Counsellors, whom no body can name; from Plots and Conspiracies, which no man can discover; and from Fears and Jealousies, which no man understands: And therefore, that the consideration of it be left to the Conscience, Reason, Affection, and Loyalty of Our good Subjects, who do understand the Government of this Kingdom, We are well content.

Where will the folly and madness of these people end, who would have Our people believe, That Our absenting Our self from *London* (where, with Our safety, We could not stay) and the continuing Our Magazine at *Hull*, proceeds from the secret Plots of the Papiists here, and to advance the Designes of the Papiists in *Ireland*? But it is no wonder, that they, who can believe Sir

John Hothams shutting Vs out of Hull to be an Act of affection and Loyalty, will beleeve that the Papiſts, or the Turks perſwaded us to go thither.

And can any ſober man think that Declaration to be the conſent of either or both Houſes of Parliament, unaltered either by fraud or Force, which (after ſo many Thanks and humble Acknowledgments of Our gracious Favour in Our Meſſage of Jan. 20. ſo often and ſo unaniouſly preſented unto Vs from both Houſes of Parliament) tells Vs *That the Meſſage at firſt was, and* (as often as it hath been ſince mentioned by Vs) *hath been a breach of Priviledge* (of which they have not uſed to be ſo negligent, as in four moneths not to complain if ſuch a breach had been) and that the way and method of proceeding ſhould not be propoſed to them, as if We had onely Authoritie to call them together, none to tell them what they were to do, not ſo much as with reference to Our own Affairs: What their own Method hath been, and whither it hath led them, and brought the Kingdom, all men ſee; What Ours would have bin, if ſeaſonably and timely applied unto, let all men judge. We will ſpeak no more of it.

But ſee now what excellent Inſtances they have found out to prove an Inclination, if not in Vs, in ſome about Vs, to civill war: *Their going with Vs to the Houſe of Commons* (ſo often urged, and ſo fully answered) *Their attending on Vs to Hampton Court; and appearing in a warlike manner at Kingſtone upon Thames; Our going to Hull; Their drawing their Swords at York, demanding, Who would be for the King: The declaring Sir John Hotham Traitor, before the Meſſage ſent to the Parliament; The Propoſitions to the Gentry in Yorkſhire to aſſiſt Vs againſt him, before We had received an Answer from the Parliament:* All deſperate Inſtances of an Inclination to a civill war; Examine them againe: The manner and intent of Our going to the Houſe of Commons, We ſet forth at large in Our Answer to their Declaration of the nineteenth of May; let all men judge. Next, Do theſe men themſelves beleeve (to what purpoſe ſoever that Rumour hath ſerved their turns) that there was an Appearance in warlike manner at *Kingſton upon Thames*? Do they not know. That whenſoever We have been at *Hampton Court*, ſince Our firſt coming to the Crown there was never a leſſe Appearance, or in a leſſe warlike manner then at the time they mean: We ſhall ſay no more, but that Our Appearance, in a warlike manner at *Kingſton upon Thames*, and theirs at *Kingſton upon Hull*, is very different. What is meant by the *drawing of Swords at York and demanding, Who would be for the King*, muſt be inquired at *London*, for We beleeve very few in *York* underſtand the meaning of it. For Our going to *Hull* (which they wil by no means endure ſhall be called a Viſit) whether it were not the way to prevent, rather then to make a Civill War, is very obvious: And the declaring him a Traitor, in the very Act of his Treason, will never be thought unreaſonable, but by thoſe who beleeve him to be a loving and loyall Subject;

no more then the endeavours to make the Gentlemen of this County sensible of that Treason (which they are, in an honourable and dutifull degree) before We received Our Answer from both Houses of Parliament: For if they had been (as we expected they should have been) sensible of that intolerable injurie offered to Us; might not We have had occasion to have used the affection of these Gentlemen? Were we sure that Sir *John Hotham*, who had kept us out, without their Order, (we speak of a publike Order) would have let us in when they had bidden him? And if they had not such a sense of us (as the Case falls out to be) had we not more reason to make Proposition to those Gentlemen, whose readinesse and affection We or Our Posterity shall never forget?

But this businesse of *Hull* sticks still with them, and finding Our Questions hard, they are pleased to Answer Us by asking Us other Questions: No matter for the Exceptions against the Earle of *Newcastle*, (which have been so often urged, as one of their principall Grounds of their Feares and Jealousies, and which drew that Question from Us) They aske Us, *Why, since We held it necessary that a Governour should be placed in Hull, Sir John Hotham should be refused by Vs, and the Earle of Newcastle sent down?* We answer, Because We had a better Opinion of the Earle of *Newcastle* then of Sir *John Hotham*, and desired to have such a Governour over Our Towns, (if We must have any) as should keep them for, and not against Us: And if his going downe were in a more private way then Sir *John Hothams*, it was because We had not that Authority to make a noyse, by Leavying and Billeting of Souldiers in a peaceable Time, upon Our good Subjects, as it seems Sir *John Hotham* carried down with him: And the Imputation which is cast by the way upon that Earle, to make his Reputation not so unblemished, as We conceived, and the World beleeves it to be, and, *Which though it was not Ground enough for a Judicial Proceeding,* (it is wonder it was not) *was yet Ground enough of Suspicion,* must be the Case of every Subject in *England* (and We wish it went no higher:) If every vile Asperision contrived by unknown hands, upon unknown or unimaginable Grounds (which is the way practised to bring any Vertuous and Deserving men into obloquie) shall receive the least credit or countenance in the World.

They tell Us their Exception to those Gentlemen, who delivered their Petition to Us at *Torke*, was, *That they presumed to take the Style upon them of all the Gentry and Inhabitants of that County, whereas (they say) so many more of as good Quality as themselves, of that County, were of another opinion; and have since by their Petition to Vs, disavowed that Act:* Their Information in that point is no better then it useth to be, and they will find, That neither the number, or the qualitie of those who have, or will disavow that Petition, are as they imagine, though

though too many weake persons are misled (which they doe, and will every day more understand) by the Faction, Skill, and Industry of that true *Malignant Party*, of which We doe, and have reason to complaine: They say, they *have received no Petition of so strange a nature*; What contrary? *contrary to the Votes of both Houses*: that is, they have received no Petition they had no mind to receive: But We told them, and We tell them againe, and all Our good Subjects will tell them, That they have received Petitions (with joy and approbation) against the Votes of both Houses of their Predecessors, confirmed and established into Laws by the consent of Vs and Our Ancestors and allowed those Petitions to carry the Style, and to seeme to carry the Desires of Cities, Towns, and Counties, when of either City, Town, or County very few known or considerable persons have been privy to such Petitions: Whereas in truth the Petitions delivered to Vs (against which they except) carried not the Style of All, but Some of the Gentry and Inhabitants, and implied no other consent, then such as went visibly along with it.

But we are all this while in a mistake, *The Magazine at Hull is not taken from Vs*: Who told you so? They who assure you (and whom, without breaking their Priviledges, you must believe) that Sir *John Potbams* shutting the Gates against Us and resisting Our entrance with armed men (though we thought it in defiance of Us) *was indeed in obedience to Vs and Our Authority, and for Our Service, and the Service of the Kingdom*; He *was to let none in, but such as came with Our Authority, signified by both Houses of Parliament* (himself and they had ordered it so) *and therefore he kept Vs out, onely till Wee, or hee might send for their directions*. Wee know not whether the Contrivers of that Declaration meant that Our good Subjects should so soone understand (though it was plain enough to be understood) the meaning of the Kings Authority signified, by both Houses of Parliament: But sure the World will now easily discern in what miserable case Wee had by this time-beene (it is bad enough as it is) if We had consented to their Bill, or to their Ordinance of the *Militia*, and given those Men power to have raised all the Arms of the Kingdom against Us (for the Common good) by Our own Authority: Would they not (as they have kept Us from *Hull*) by this time have beaten Us from *Torke*, and pursued Us out of the Kingdom in Our owne behalf? Nay, may not this Munition (*which is not taken from Vs*) be employed against Us? Not against Our Authority, signified by both Houses of Parliament, but onely to kill those ill Counsellours, the *Malignant Party*, which is about Us, *and yet for Our good, for the publike good* (they will declare it so) and so no Treason within the Statute of 25 of *Edward the Third*, which by their interpretation hath left Us (*the King of England*) absolutely lesse provided for, in point of safety, then the meanest Subject of the Kingdom; and every Subject of this Land (for whose secu-

rity that Law was made, that they may know their duty, and their danger in breaking it) may be made a Traitor, when these men please to say, Hee is so; But doe they think, that upon such an Interpretation (upon pretence of Authority of Book-cases, and Presidents, which without doubt they would have cited if they had been to their purpose) out of which nothing can result, but confusion to King and People, will find any credit with Our good Subjects? And that so excellent a Law (made both for security of King and People) shall be so Eluded by an Interpretation no Learned Lawyer in *England* will at this houre (Wee believe) set under his hand, notwithstanding the Authority of that Declaration, which, We hope, shall bring nothing but infamy upon the Contrivers of it?

Now to their Priviledges: Though it be true they say, *That their Priviledges do not extend to Treason, Felony, or breach of the Peace, so as to exempt the Members from all manner of Proces and Triall, yet it doth priviledge them in the Way or Method of their Triall; the Cause must be first brought before them, and their Consent asked before you can proceed:* Why, then their Priviledges extend as farre in these Cases, as in any that are most unquestioned, for no Priviledge whatsoever exempts them from all manner of Proces and Triall, if you first acquaint the House with it, and they give you leave to proceed by those Proces or to that Triall: But by this Rule, if a Member of either House commit a Murther, you must by no meanes meddle with him, till you have acquainted that House (of which hee is a Member) and received their direction for your proceeding, assuring your selfe, Hee will not stir from that place where you left him, till you return with their consent: *Should it be otherwise, it would be in the power of every man, under pretence of Murther, to take one after another, and as many as he pleaseth, and so consequently bring a Parliament to what hee pleaseth, when he pleaseth:* If a Member of either House shall take a Purse at *Tork* (hee may as probably take a Purse from a Subject as Armes against his King) you must ride to *London* to know what to do, and he may ride with you, and take a new Purse every Stage, and must not bee apprehended, or declared a Felon, till you have asked that House of which he is a Member: *Should it be otherwise, it might be in every mans power to accuse as many Members as he would, of taking Purse, and so bring a Parliament (and so all Parliaments) to nothing.* Would these men be believed? And yet they make no doubt *but every one who hath taken the Protestation, will defend this Doctrine with his Life and Fortune.* Will not Our Subjects believe, That they have imposed a pretty Protestation upon them, and that they had a very good end in the doing it, if it obligeth them to such hazards, to such undertakings? Must they forget or neglect Our Person, Honour, and Estate, which by that Protestation they are bound to defend, and in some degree doe understand;

and

and must they onely venture their Lives and Fortunes to justifie Priviledges they know not, or ever heard of before? Or are they bound by that Protestation to believe, That the Framers of that Declaration have power to extend their owne Priviledges as farre as they thinke fit, and to contract Our Rights as much as they please, and that they are bound to believe them in either, and to venture their Lives and Fortunes in that quarrel?

From declaring how mean a Person We are, and how much the Kingdome hath been mistaken in the understanding of the *Statute* of 25 E. 3. concerning Treason; and that all men need not feare leavying War against Us, *so they have their Order to warrant them*; they proceed, *in the spirit of Declaring*, to certifie Our Subjects in the mistakings, which neere one hundred and fifty yeers have beene received, concerning the Statute of the eleventh yeer of H. 7. cap. 1. (a Statute Our good Subjects will read with comfort) and tell them, That the serving of the King, for the time being, cannot be meant of *Perkin Warbeck*, or of any that should call himself King, but *such a one as is allowed and received by the Parliament in the behalfe of the Kingdom*; And are we not so allowed? However through a dark mist of words, and urging their old Priviledges (which We hope We have sufficiently answered, and will be every day more confuted by the actions of Our good Subjects) they conclude, *That those that shall guide themselves by the judgement of Parliament* (which they say is their owne) ought whatsoever happen, to be secure and free from all Account and penalties, upon the ground and equity of that very Statute. How far their owne Chancellours may help them in that equity, We know not, but (by the help of God, and that good Law) We shall allow no such equity.

So then, here is the Doctrine of that Declaration, and these are the positions of the Contrivers of it.

1 *That they have an absolute power of declaring the Law, and that whatsoever they declare to be so, ought not to be questioned by Our Self, or any Subject: So that all Right and Safety of Vs and Our People must depend upon their pleasure.*

2 *That no Presidents can be limits to bound their Proceedings: So they may doe what they please.*

3 *That a Parliament may dispose of any thing, wherein the King or Subject hath a right for the publike good; That they without the King, are this Parliament and Iudge of this publike good; and that Our consent is not necessary: So the Life, and Liberty of the Subject, and all the good Laws made for the security of them, may be disposed of, and repealed by the Major part of both Houses, at any time present, and by any ways and means procured so to be; and Wee have no Power to prevent them.*

4 *That no Member of either House ought to be troubled or medled with, for Treas-*

Treason, Felonie, or any other Crime, without the Cause first brought before them, that they may judge of the Fact, and their leave obtained to proceed.

5 That the Sovereigne Power resides in both Houses of Parliament, and that We have no negative voice: So then, We Our Self must be subject to their Commands.

6 That the levying of Forces against the personall Commands of the King (though accompanied with his Presence) is not levying war against the King; but the levying war against His Laws and Authority (which they have power to declare and signifie) though not against His Person, is levying war against the King; and that Treason cannot bee committed against his Person, otherwise then as he is intrusted with the Kingdom, and discharging that Trust, and that they have a power to judge whether Hee discharge this Trust or no.

7 That, If they should make the highest Presidents of other Parliaments their Patterns, there would be no cause to complain of want of modesty or durt in them: That is, They may Despoise Vs when they will, and are not to be blamed for so doing.

And now (as if the meer publishing of their Resolutions, would not onely prevaile with the People, but in the instant destroy all spirit and courage in Us, to preserve Our own Right and Honour) they have since taken the boldnesse to assault Us with certain Propositions, which they call, *The most necessary effectuall means for the removing those Jealousies and Differences betwene Vs and Our People*: That is, that We will be content to develt Our Self of all Our Regall Rights and Dignities; be content with the Title of a King, and suffer them (according to their Discretion) to govern Us and the Kingdom, and to dispose of Our Children: How sutable and agreeable this Doctrine, and these Demands, are to the affection of Our loving Subjects, under whose Trust these men pretend to say and do these monstrous things, and to designe, not onely the ruine of Our Person, but of Monarchy it Self, (which Wee may justly say, is more then ever was offered in any of Our Predecessours times; for though the Person of the King hath been sometimes unjustly deposed, yet the Regall Power was never before this time stricken at) We believe Our good Subjects will find some way to let them and the World know: And from this time such who have been misled by their ill Counsels, to have any hand in the execution of the *Militia*, will see to what ends their Service is designed; and therefore if they shall presume hereafter to meddle in it, they must expect that Wee will immediatly proceed against them as Actual Raifers of Sedition, and as Enemies to Our Sovereign Power.

We have done: And shall now expect the worst Actions these Men have power to commit against Us: (worse words they cannot give Us) and We doubt

not, but the Major part of both Houses of Parllament, when they may come together with their Honour and safety, (as well those who were surprized at the passing of it, and understood not the Malice in it, and the Confusion that must grow by it, if believed, as those who were absent or involved) will so far resent the Indignity offered to Us; the Dishonour to themselves, and the Mischief to the whole Kingdom, by that Declaration, that they will speedily make the foul Contrivers of it instances of their exemplary Justice, and brand them and their Doctrine with the Markes of their perpetuall Scorne and Indignation.

FINIS.

Two Orders; the one, to all High Sheriffs, Iustices of the Peace, and other Officers, within 150 miles of the Citie York. The other in particular, to the High Sheriffs, Iustices of the Peace, and other Officers with.
in the County of Lancaster.

In generall, to all the Counties of *England* and Dominion of *Wales*.

Die Veneris 27, Maii, 1643.

VV Hereas it appeares to the Lords and Commons, that the King, seduced by wicked Counsell, intends to make war upon his Parllament: It is therefore Ordered by the Lords and Commons, that the High Sheriffe and Justices of the Peace and other Officers within the same Counties, Cities, and Townes Corporate, situate within 150 miles of the City of York, shall forthwith take speciall care, for to make stay of all Arms and Ammunition carrying towards York, untill they have given notice thereof unto the Lords and Commons, and shall have received their further direction. And for the better effecting hereof, the said High Sherif, Justices of Peace, and other Officers, are further to take speciall care, that Night Watches be kept within their severall Limits and Jurisdictions for the searching for and seizing of all such Armes and Ammunition, as likewise for the apprehending all persons going with the same.

Die Sabbathi. 28 Maii, 1642.

VV Hereas it appeareth, that the King seduced by wicked counsell, intends to make war against the Parliament, & under the colour of a guard to secure his royall Person, both command troops both of Horse and Foot to assemble at *York*; All which is against the Laws of the Kingdome, tending to the dissolution of the Parliament, and destruction of the people: It is therefore Ordered by the Lords and Commons in Parliament, that the Sheriff of the County of *Lancaster*, and all other Sheriffs of the Kingdome *England*, and Dominion of *Wales*, shall by the power of that County, and of their severall Counties respectively suppress the raising, and coming together of any Souldiers Horse or Foot, by any Warrant, Commission, or Order from His Majesty, without the advice, and consent of the Lords and Commons in Parliament; And that all persons whatsoever doe forbear to execute any such Commission, or Warrant for levying Souldiers, or gathering them together, without consent of Parliament; And those who shall execute or obey any such Commission, or Warrant, are hereby declared to bee disturbers of the peace of the Kingdome. And the Lord Lieutenants of the County of *Lancaster*, and all Lord Lieutenants of all other Counties in the Kingdome of *England*, or Dominion of *Wales* respectively, as likewise all Deputy Lieutenants, Captaines, and Officers of the Trained Bands, and all Majors, Justices of Peace, and other His Majesties loving Subjects, are hereby commanded, and required to be ayding and assisting to the said Sheriffs of the County of *Lancaster*, and to the other Sheriffs of the other Counties of this Kingdome, and of the Dominion of *Wales*; And that His Majesties loving Subjects may the better understand what the Law, and their owne duty is in this behalfe, the said Sheriffs of *Lancaster*, and other Sheriffs of the other Counties of this Kingdome respectively, shall cause this present Order forth-with to be published, in the severall Market Townes within their said Counties.

Sabbathi 28, Maii, 1642.

O *Ordered by the Lords in Parliament; That these Orders bee forthwith Printed and published.*

John Brown Cler. Parl.

By

By the King.

A Proclamation forbidding All His Majesties Subjects belonging to the Trained Bands or *Militia* of this Kingdom, to Rise, March, Muster or Exercise, by vertue of any Order or Ordinance of one or both Houses of Parliament, without consent or Warrant from His Majestie, upon pain of punishment according to the Laws.

VV Hereas by the Statute made in the seventh year of King Edward the first, The Prelates Earls, Barons, and Communitie of the Realm affirmed in Parliament, That to the King it belongeth, and His part it is by His Royall Segniorie straightly to defend wearing of Armour, and all other Force against the Peace, at all times when it shall please Him, and to punish them which shall do contrary, according to the Laws and Usages of the Realm, and hereunto all Subjects are bound to aid the King as their Sovereign Lord, at all seasons, when need shall be. And whereas We understand, That expressly contrary to the said Statute, and other good Laws of this Our Kingdom, under colour and pretence of an Ordinance of Parliament, without Our consent or any Commission or Warrant from Us, The trained Bands and Militia of this Kingdom, have been lately, and are intended to be put in Arms, and drawn into Companies in a Warlike manner, whereby the Peace and Quiet of Our Subjects is, or may be disturbed: We being desirous by all gracious and fair Admonitions to prevent, that some Palignant persons in this Our Kingdom do not by degrees seduce Our good Subjects from their due Obedience to Us, and the Laws of this Our Kingdom, subtilly endeavouring by a generall Combustion or Confusion to hide their mischievous Designes and Intentions against the Peace of this Our Kingdom, and under a specious pretence of putting Our Trained Bands into a Posture, draw and engage Our good Subjects in a warlike Opposition against Us, as Our Town of Hull is already by the Treason of Sir Iohn Hotham, who at first pretended to put a Garrison into the same onely for Our Security and service.

We do therefore by this Our Proclamation expressly Charge and Command all Our Sheriffs, and all Colonels, Lieutenant-Colonels, Serieant-Majors, Captains, Officers, and Souldiers belonging to the Trained Bands of this Our Kingdom, and likewise all High and Petty Constables, and other Our Officers and Subjects whatsoever, upon their Allegiance,

and as they tender the Peace of this Our Kingdom, Not to Muster, Lea-
 vie, Raile, or March, or to Summon, or Warr upon any Warrant, Order,
 or Ordinance from one, or both Our Houses of Parliament (whereunto We
 have not, or shall not give Our expresse Consent) any of Our Trained
 Bands, or other Forces, to Rise, Muster, March, or Exercise, without ex-
 presse Warrant under Our Hand: or Warrant from Our Sheriffe of the
 County, grounded upon a particular Writ: to that purpose, under Our great
 Seal. And in case any of Our Trained Bands shall Rise, or gather toge-
 ther contrary to this Our Command We shall then call them in due time
 to a strict Account, and proceed Legally against them as Violaters of the
 Lawes, and Disturbers of the Peace of the Kingdom.

Given at Our Court at York the seven and twen ieth day of May 1642.
God save the King.

By the King.

Our Will and Pleasure is. That the Ministers, Free-holders, Far-
 mers, and substantiall Copp-holders of this Our County of York,
 do assemble and meet together at Heworth Moor, near Our City of Yorke,
 upon Friday in Whitson week (according to former Summons) by nine of
 the Clock in the Morning. For that We are informed there are others
 sayres to be kept in this Our County the day following, at which time
 many of them may have necessary occasion to be absent: And therefore
 out of our tenderneſſe & care of Our good Subjects, We have thought fit to
 give this early Notice, to the end the said Inhabitants may be put to as
 little Preiudice as may be. And this Our Pleasure We require to be
 forthwith Printed and Copies thereof to be speedily published and disperſed
 by the Sheriff of this County: For which this shall be sufficient Warrant.

Given at Our Court at York, the seven and twentieth day of May, 1642.

A Declaration of the Lords and Commons in Parliament concerning his Majesties Proclamation, May 27. 1642.

THE Lords and Commons having perused his Majesties Proclamation
 forbidding all his Majesties subjects belonging to the Trained-Bands,
 or Militia of this Kingdome, to rise, march, muster, or exercise by ver-
 tue

me of any order or ordinance of one or both Houses of Parliament without consent or warrant from his Majestie upon paine of punishment according to the Lawes.

Do therupon declare, that neither the Statute 7. *Ed.* the first therein vouch'd, nor any other Law of this Kingdome doth restraine or make void the Ordinance agreed upon by both Houses of Parliament, for the ordering and disposing the Militia of the Kingdome in this time of extreame and imminent danger, nor expose his Majesties subjects to any punishment for obeying the same: Notwithstanding that his Majesty hath refused to give his consent to that ordinance, but ought to be obeyed by the fundamentall Lawes of this Kingdome.

The Declaration of 7. *Ed.* 1. quoted in his Majesties Proclamation runneth thus, The King to the Justices of his Bench sendeth greeting: Whereas of late before certaine persons deputed to treat upon sundry Debates had betwene us and certaine great men of our Realme, amongst other things, it was accorded that in our next Parliament; after provision shall be made by us, and the common assent of the Prelates, Earles and Barons, that in all Parliaments, Treaties and other Assemblies which should be made in the Realme of England for ever, that every man shall come without all force and Armour, well and peaceable to the honour of Us and the peace of Vs and our Realme, and now in our next Parliament at *Westminster* after the said Treaties, the Prelates, Earles, Barons, and the Commonalty of our Realm there assembled to take advise of this businesse have said that to us belongeth, and our part is through our Royall Seigniorie straightly to defend force of Armour, and all other force against Our peace at all times, when it shall please us, and to punish them which shall doe contrary according to our Lawes and usages of our Realme. And hereunto they are bound to ayde us as their Sovereigne Lord at all seasons when need shall bee. Wee Command you that you cause these things to be read afore you in the said Bench, and there to be inrolled. Given at *Westminster* the 30. day of *October*.

The occasion of this Declaration was for the Restraint of Armed men from coming to the Parliament to disturbe the peace of it, and is very improperly alledged for the maintenance of such Levies as are now raised against the Parliament the title of the Statute being thus to all Parliaments and Treatises, every man shall come without force and Armes; so that the Question is not whither it belong to the King or no, to restraine such force, but if the King shall refuse to discharge that dutie and trust whither there is not a power in the two Houses to provide for the safetie of the Parliament, and peace of the Kingdome, which is the end for which the Ordinance concerning the Militia was made, and being agreeable to the scope & purpose of the Law cannot in reason be ad-

judged to be contrary to it, for although the Law doe affirme it to bee in the King, yet it doth not exclude those in whom the Law hath placed a power for that purpose, as in the Courts of Justice, that Sheriffs and other Officers and Ministers of those Courts, and as their power is derived from the King by his patents, yet cannot it not be restrained by his Majesties Command, by his great Seale or otherwise, much lesse can the power of Parliament be concluded by his Majesties Command, because the Authority thereof is of a higher and more eminent nature then any of those Courts.

It is acknowledged that the King is the fountain of Justice and protection, but the Acts of Justice and protection are not exercised in his own person, nor depend upon his pleasure but by his Courts, and by his Ministers who must doe their dutie therein, though the King in his own person should forbid them, and therefore if judgements should be given by them against the Kings will and personall Command, yet are they the Kings Judgement.

The high Court of Parliament is not onely a Court of Judicature enabled by the Laws to adjudge and determine the Rights and Liberties of the Kingdome, against such Patents, and Grants of his Majesty, as are prejudiciall thereunto, although strengthened both by his personall commands, and by his Proclamation under the great Seale, but it is likewise a Councell to provide for the necessitie, to prevent the imminent dangers, and preserve the publike peace and safetie of the Kingdome, and to declare the Kings pleasure in those things as are requisite thereunto, and what they doe herein both the stamp of Royall authority, although his Majesty seduced by evill Councell, doe in his owne person oppose or interrupt the same, for the Kings Supream power and Royall pleasure is exercised and declared in this high Court of Law and Councell after a more eminent and obligatory manner, then it can be by any personall act or resolution of his own.

Seeing therefore the Lords and Commons which are his Majesties greatest and highest Councell have ordained that for the present and necessary defence of the Realme, the Trained Bands and Militia of this Kingdome should be ordered according to that Ordinance, and that the Towne of Hull should be committed to the custody of Sir *John Hotham* to be preserved from the attempts of Papists, and other malignant persons, who thereby might put the Kingdome into a combustion which is so far from being a force against the Kings peace, that it is necessary for the keeping and securing thereof, and for that end alone is intended, and all his Majesties loving Subjects, aswell by the Law, as by other Lawes are bound to be obedient thereunto, and what they doe therein, is according to that Law to be interpreted to be done in aide of the King in discharge of that trust which he is tyed to performe; And it is so far from being lyable to punishment, that if they should refuse to doe it, or bee perswaded by any

any Commission, or Command of his Majestie to doe the contrary, they might justly be punished for the same according to the Lawes and usages of the Realm, for the King by his Sovereignty is not inabled to destroy his people, but to protect and defend them; And the high Court of Parliament, and all other his Majesties Officers and ministers ought to be subservient to that power and authority which Law hath placed in his Majesty to that purpose, though he himselfe in his own person should neglect the same.

Wherefore the Lords and Commons doe declare the said Proclamation to be voide in Law, and of none effect, For that by the Constitution and policy of this Kingdome, the King by His Proclamation, cannot declare the Law contrary to the Judgement, and Resolution of any of the inferiour Courts of Justice, much lesse against the high Court of Parliament; for if it were admitted, That the King by his Proclamation may declare a Law, thereby His Proclamations will in effect become Lawes, which would turne to the subverting of the Law of the Land, and the Rights and Liberties of the Subjects.

And the Lords and Commons doe require and Command all Constables, petty Constables, and all other His Majesties Officers and Subjects whatsoever, to Muster, levie, raise, march and exercise, or to summon, or warne any upon Warrant from the Lieutenants, Deputy-Lieutenants, Captaines, or other Officers of the Trained Bands, and all others according to the said Ordinance of both Houses, and shall not presume to Muster, levy, raise, march or exercise by vertue of any Commission or other authority whatsoever, as they will Answer the Contrary at their perill. And in their so doing, they doe further declare that they shall be protected by the power and authority of both Houses of Parliament, and that whosoever shall oppose, question or hinder them in the execution of the said Ordinance, shall be proceeded against as violaters of the Lawes, and disturbers of the peace of the Kingdome.

FINIS.

Die Iovis 2 Iunii, 1642.

IT is this day Ordered by the Commons now assembled in Parliament, That the severall Members of this House, doe forthwith give their Attendance upon the publike Service of this Common-wealth with which they are entrusted by their Countries. And the Sheriffs of the severall Counties of this Kingdom of *England* and Dominion of *Wales* are required to give Notice of this Order unto all such Members of the House of Commons as are within their respective Counties; and speedily to make return of such their doings, unto the *Speaker* of that House: And all such as shall not make their personal appearance by the sixteenth day of this instant *June*, in the House of Com.

Commons, shall each one forfeit One hundred pounds, to be disposed of to the Wars in *Ireland*, and undergo such further censure and punishment as the said House shall think fit for so great neglect of their duty in a time that so necessarily requires their assistance.

Provided always, That all such as are specially imployed by this House are to remayn in such imployments, untill they shall have particular Directions for their return.

Ordered that it be forthwith Printed.

H. Elsing Cler. Parl. Dom. Com.

Die Iovis 2 Iunii, 1642.

WHereas it doth appeare to the Lords and Commons in Parliament, That the King, seduced by wicked Counsell, doth intend to levy War against his Parliament; And whereas Information hath been given, That the Jewels of the Crowne (which by the Law of the Land ought not to be alienated) are either pawned or sold in *Amsterdam*, or some other parts beyond the Seas, and thereby great Sums of Money provided to be returned to *Tork*, or to some of His Majesties Servants or Agents for His Majesties use: And whereas 'tis more then probable, That this great Provision of Moneys in such an extraordinary way, is to mayntain this intended War, and thereby to bring the whole Kingdom into utter ruine and combustion. It is therefore declared by the Lords and Commons in Parliament, That whosoever hath been, or shall be an Actor in the selling or pawning of any Jewels of the Crown, or hath, or shall pay, lend, send, or bring any Money in *Specie* into this Kingdom, for, or upon any of those Jewels; Or whosoever hath, or shall accept of any Bill from beyond the Seas, for the payment of any sum of Money for, or upon any of those Jewels, and shall passe any sum according to such Bill, after notice of this Order, without acquainting this House with the receipt of such Bill before he accept the same; Or if, hee have already accepted any such Bill, then with the acceptance thereof before the payment of the Money. Every such person shall be held and accounted a promoter of this intended Warre, an enemy to the State, and ought to give satisfaction for this publike damage out of his own Estate.

H. Elsing Cler. Parl. D. Com.

The humble Petition and Advice of both Houses of
Parliament, with nineteene Propositions, and
the Conclusion sent unto His Majesty the
second of June, 1642.

Your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament, Having nothing in their thoughts and desires, more precious and of higher esteeme (next to the honour and immediate Service of God) then the just and faithfull performance of their duty to Your Majesty, and this Kingdome; And being very sensible of the great distractions and distempers, and of the eminent dangers, and calamities which those distractions & distempers are like to bring upon Your Majestie, and Your Subjects; All which have proceeded from the subtil informations, mischievous practices, and evill Counsels of men, disaffected to Gods true Religion, Your Majesties Honour, and safety, and the publike peace and prosperitie of Your People, after a serious observation of the Causes of those mischiefs; Doe in all humilitie, and sincerity present to Your Majesty their most dutifull Petition and Advice, that out of Your Princely Wisdom, for the establishing Your Owne Honor, and safety, and Gracious tenderesse of the Welfare, and Security of Your Subjects, and Dominions, You will be pleased to grant and accept these their humble Desires and Propositions, as the most necessary effectuall Means through Gods blessing of removing those Jealousies, and Differences, which have unhappily falne betwixt You, and Your People, and procuring both Your Majestie, and them a constant course of Honour, Peace, and Happinesse.

The Propositions.

I That the Lords and others of Your Majesties Privy Councell, and such great Officers, and Ministers of State, either at home, or beyond the Seas, may be put from Your Privy Councell, and from those Offices and employments, excepting such as shall be approved of by both Houses of Parliament. And that the Persons put into the places and employment of those that are removed, may be approved of by both Houses of Parliament. And that Privy Counsellors shall take an Oath for the due execution of their places, in such forme as shall be agreed upon by both Houses of Parliament.

2 That the great Affaires of the Kingdome, may not be concluded or transacted by the advice of private men, or by any unknown, or unsworne Counsellors, but that such matters as concerne the publike, and are proper for the High

Court of Parliament, which is Your Majesties great and Supreme Councell, may be debated, resolved and transacted only in Parliament, and not elsewhere; and such as shall presume to doe any thing to the contrary, shall be referred to the censure and judgment of Parliament, and such other matters of State, as are proper for Your Majesties Privy Councell, shall be debated and concluded by such of the Nobility, and others, as shall from time to time be chosen for that place, by approbation of both Houses of Parliament. And that no publicke Act concerning the Affairs of the Kingdome, which are proper for Your Privy Councell, may be esteemed of any Validity, as proceeding from the Royall Authority unless it be done by the Advice and Consent of the Major part of Your Councell, attested under their hands. And that Your Councell may be limited to a certain number, not exceeding twenty five, nor under fifteen; and if any Counsellors place happen to be void in the intervall of Parliament, it shall not bee supplied without the Assent of the Major part of the Councell, which choyce shall be confirmed at the next sitting of Parliament, or else to be void.

3 That the Lord high Steward of *England*, Lord high Constable, Lord Chancellour, or Lord Keeper of the great Seale, Lord Treasurer, Lord Privy Seale, Earle Marshall, Lord Admirall, Warden of the Cinque-ports, chief Governour of *Ireland*, Chancellour of the Exchequer, Master of the Ward, Secretaries of State, two chief Justices, and chief Baron may alwayes be chosen with the Approbation of both Houses of Parliament; and in the Intervalls of Parliaments by Assent of the Major part of the Councell, in such manner as is before exprest in the choice of Counsellors.

4 That hee, or they unto whom the Government, and Education of the Kings Children, shall be committed, shall be approved of by both Houses of Parliament, and in the Intervalls of Parliaments, by the Assent of the Major part of the Councell in such manner, as is before exprest in the choice of Counsellors; And that all such Servants, as are now about them, against whom both Houses shall have any just exceptions, shall be removed.

5 That no Marriage shall bee concluded or treated for any of the Kings Children, with any forreigne Prince, or other person whatsoever abroad, or at home, without the consent of Parliament, under the penalty of a *Præmunire* unto such as shall be concluded, or treat any Marriage, as afor. said; And that the said penalty shall not be pardoned, or dispenced with, but by the consent of both Houses of Parliament.

6 That the Laws in force against Jesuits, Priests, and Popish Recusants be strictly put in execution, without any Toleration, or Dispensation to the contrary; And that some more effectuall course may bee enacted by Authority of

Parliament, to disable them from making any disturbance in the State, or eluding the Law by trusts or otherwise.

7 That the Votes of Popish Lords in the House of Peeres may be taken away, so long as they continue Papists; And that Your Majesty will consent to such a Bill as shall be drawne, for the education of the children of Papists by Protestants in the Protestant Religion.

8 That Your Majesty will be pleased to consent that such a Reformation be made of the Church Government and Liturgy as both Houses of Parliament shall advise; wherein they intend to have Consultations with Divines, as is expressed in their Declaration to that purpose: And that Your Majesty will contribute Your best assistance to them, for the raising of a sufficient Maintenance for preaching Ministers thorow the Kingdom; and that Your Majesty will be pleased to give Your Consent to Laws for the taking away of Innovations and Superstition, and of Pluralities, and against scandalous Ministers.

9 That Your Majesty will be pleased to rest satisfied with that Course that the Lords and Commons have appointed for ordering of the *Militia* untill the same shall be further settled by a Bill: And that Your Majesty will recall Your Declarations and Proclamations against the Ordinance made by the Lords and Commons concerning it.

10 That such Members of either House of Parliament as have during this present Parliament bin put out of any Place and Office, may either be restored to that place and Office, or otherwise have satisfaction for the same, upon the Petition of that House whereof he or they are Members.

11 That all Privy Counsellors and Judges may take an Oath, the Forme whereof to be agreed on, and settled by Act of Parliament, for the maintaining of the Petition of Right, and of certain Statutes made by this Parliament which shall be mentioned by both Houses of Parliament; And that an inquiry of all the breaches and violations of those Laws may be given in charge by the Justices of the Kings Bench every Term, and by the Judges of Assize in their Circuits, and Justices of the Peace at the Sessions, to be presented and punished according to Law.

12 That all the Judges, and all the Officers placed by approbation of both Houses of Parliament may hold their places, *quam diu bene se gesserint*.

13 That the Justice of Parliament may passe upon all Delinquents, whether they be within the Kingdome, or fled out of it; And that all persons cited by either House of Parliament, may appeare, and abide the censure of Parliament.

14 That the generall pardon offered by Your Majesty may be granted with such exceptions as shall be advised by both Houses of Parliament.

15 That the Forts and Castles of this Kingdom may be put under the command and custody of such persons as Your Majesty shall appoint, with the approbation of Your Parliament, and in the intervals of Parliament, with approbation of the major part of the Councell, in such manner as is before expressed in the choice of Counsellours.

16 That the extraordinary Guards and Military Forces, now attending Your Majesty, may be removed and discharged, and that for the future You will raise no such Guards, or extraordinary Forces, but according to the Law, in case of actuall Rebellion or Invasion.

17 That Your Majesty will be pleased to enter into a more strict Allegiance with the States of the United Provinces, and other Neighbour Princes and States of the Protestant Religion, for the defence and maintenance thereof against all Designs and attempts of the Pope and his adherents to subvert and suppress it, whereby Your Majestie will obtain a great accessse of strength and reputation, and Your Subjects be much encouraged and enabled in a Parliamentary way for Your ayd and assistance in restoring Your Royall Sister and her Princely Issue to those Dignities and Dominions which belong unto them, and relieving the other distressed Protestant Princes who have suffered in the same Cause.

18 That Your Majesty will be pleased by act of Parl. to cleare the Lord *Kimbolton* and the five Members of the House of Comons in such manner, that future Parliaments may be secured from the consequence of that evil president.

19 That your Majesty will be graciously pleased to passe a Bill for restraining Peers made hereafter, from sitting or voting in Parliament, unless they be admitted thereunto with the consent of both Houses of Parliament.

ANd these our Humble Desires being granted by Your Majesty, we shall forthwith apply our selves to Regulate Your present Revenue in such sort, as may be for Your best advantage, and likewise to settle such an ordinary, and constant increase of it as shall be sufficient to support Your Royall Dignity in honour and plenty, beyond the proportion of any former Grants of the Subjects of this Kingdom to your Majesties Royall Predecessors. We shall likewise put the Town of *Hull* into such hands, as your Majesty shall appoint, with the Consent and Approbation of Parliament, and deliver up a just account of all the Magazine, and cheerfully employ the uttermost of our power and endeavours in the reall expression and performance of our most dutifull and loyall Affections, to the preserving and maintaining the Royall Honour, Greatnesse, and Safety of Your Majesty, and Your Posterity.

F I N I S.

H. Elsing Cler. Parl. Dom. Com.

His

His Majesties Answer to to the nineteen Propositions of both Houses of Parliament.

BEfore We shall give you Our Answer to your Petition and Propositions, We shall tell you, that We are now clearly satisfied, with the Method, which We traced out to you by Our Message of the twentieth of *January* and have since so often pressed upon you as the proper way to compose the distractions of this Kingdome, and render it truly happy, hath beene hitherto declined, and is at length thought fit to be looked upon; Wee now see plainly (and desire that you, and all other Our good Subjects should doe so too) that the Cabalists of this businesse have with great prudence reserved themselves, untill due preparations should be made for their Designe.

If they had unseasonably vented such propositions, as the Wisdome and Modesty of your Predecessours never thought fit to offer to any of Our Prerogatives, nor We in honour or regard to Our Regall Authority (which God hath entrusted Us with for the good of Our people, could receive without just indignation (and such many of your present propositions are) their hopes would soon have been blasted, and those persons, to whom Offices, Honours, Power and Commands were designed, by such ill timing of their businesse, would have failed of their expectation, not without a Brand upon the attempt. Therefore, before any of this nature should appeare they have (certainly with great wisdom in the Conduct of it) thought fit to remove a troublesome Rub in their way, *The Law*; To this end, (that they might undermine the very foundations of it) a new power hath been assumed to interpret and declare Laws without Us by extemporary Votes, without any case judicially before either House (which is in effect the same thing as to make Laws without Us.) Orders and Ordinances made onely by both Houses (tending to a pure Arbitrary power) were pressed upon the people as Lawes, and their obedience required to them.

Their next step was, To erect an upstart Authority without Us, (in whom, and onely in whom the Laws of this Realm have placed that power) To command the *Militia*, (very considerable to this their Designe;) In further order to it they have wrested from Us Our Magazine and Town of *Hull*, and bestrid Sir *John Hotham* in his bold-faced Treason; They have prepared and directed to the people unprejudiced Invectives against Our Government, thereby (as much as lay in their power) to weaken Our just Authority and due esteeme among them; They have as injuriously as presumptuously (though We conceive by this time Impudence it selfe is ashamed of it) attempted to cast upon Us a

ipertions of an unheard of nature, as if Wee had favoured a Rebellion in Our own Bowels; They have likewise broached new Doctrine. *That We are obliged to passe all Laws that shall be offered to Vs by both Houses* (howsoever our owne Judgement and Conscience shall be unsatisfied with them) a point of policy, as proper for their present businesse, as destructive to all Our Rights of Parl. And so with strange shamelesse will forget a clause in Law still in force, made in the second yeare of King H 5., wherein both Houses of Parliament doe acknowledge, *That it is of the Kings Regality to grant or deny such of their Petitions as pleaseth Himselfe*; They have interpreted Our necessary Guard, legally assembled for the Defence of Us and Our Childrens persons against a Trai- tour in open Rebellion against Us, to be *wish intent to leavy Warre against Our Parliament*, (the thought whereof Our very soule abhorreth) thereby to render Us odious to Our people.

They have awed Our good Subjects with Pursivants, long chargeable Attendance, Heavy Censures and illegall Imprisonments, that few of them durst offer to present their tendernesse of Our Sufferings, their owne just Grievances, and their sense of those violations of the Law, (the Birth-right of every Subject of this Kingdom) though in an humble petition directed to both Houses; and if any did, it was stifled in the Birth, called *Sedition*; and burnt by the common Hangman.

They have restrained the Attendance of Our ordinary and necessary Household-servants, and seized upon those small sums of Money which Our Credit had provided to buy Us Bread, With Injunctions, That none shall be suffered to be conveyed or returned to Us to *Yorke*, or any of Our Peers or Servants with Us, so that (in effect) they have blocked Us up in that County.

They have filled the ears of the People with the noise of Feares and Jealousies, (though taken up upon trust) tales of Skippers, Salt-Fleets, and such like, by which Alarms they might prepare them to receive such impressions, as might best advance this Designe when it should be ripe. And now it seems they thinke We are sufficiently prepared for these bitter Pills, Wee are in a handsome Posture to receive these *bumble desires*, (which probably are intended to make way for a Superferation of a (yet) higher nature, (if Wee had not made this discovery to you) for they doe not tell Us this is all. In them We must observe that these Contrivers (the better to advance their true ends) disguised as much as they could their intents with a mixture of some things really to be approved by every honest man; Others, specious and popular; And some which are already granted by Vs; All which are cunningly twisted and mixed with those other things of their main Designe of Ambition and private interest; in hope, that at the first view, every eye may not so cleerly discern them in their proper colours.

We

Wee would not be understood, That wee intend to fix this Designe upon both, or either House of Parliament; We utterly professe against it, being most confident of the Loyalty, good affections and integritie of the intentions of that great Body, and knowing well that very many of both Houses were absent, and many distanced from all those particulars VVe complain of: But VVe doe beleevē, and accordingly professe to all the World, that the Malignity of this Designe (as dangerous to the Lawes of this Kingdome, the Peace of the same, and the Liberties of all Our good Subjects, as to Our Selfe, and Our just Prerogative) hath proceeded from all subtile Informations, mischievous Practices, and evill Counsels of ambitious turbulent Spirits, disaffected to Gods true Religion, and the Unitie of the Professors thereof, Our Honour and Safety, and the publicke Peace and prosperity of Our people, not without a strong influence upon the very actions of both Houses. But how faulty soever others are, We shall (with Gods assistance) endeavour to discharge Our duty with uprightnesse of heart; And therefore since these Propositions come to Us in the name of both Houses of Parliament, We shall take a more particular notice of every of them.

If the 1. 2. 3. 4. 5. 9. 10. 15. 16. 19. Demands had been writ and printed in a tongue unknowne to Us and Our people, it might have been possible We and they might have charitably beleevē the Propositions to be such as might have been in Order to the ends pretended in the Petition, (to wit) *the establishing of Our Honour and Safete, the welfare and Security of Our Subjects and Dominions, and the removing those Jealousies and Differences which are said to have unhappily fallen betwixt Vs and Our people, and procuring both Us and them a constant course of Honour, Peace and happinesse.* But being read and understood by all, Wee cannot but assure our Selfe that this Profession, joyned to these Propositions, will rather appeare a Mockery and a Scorne; The Demands being such, as We were unworthy of the trust reposed in Us by the Law, and of Our Descent from so many great and famous Ancestours, if We could be brought to abandon that power, which onely can enable Us to performe what We are sworne to, in protecting Our People and the Lawes, and so assume others into it, as to devest Our selfe of it; Although not onely Our present Condition (which it can hardly be) were more necessitous then it is, and We were both vanquishd, and a Prisoner, and in a worse condition then ever the most infortunate of Our Predecessours have been reduced to, by the most criminall of their Subjects; And though the Bait laid to draw us to it, and to keep Our Subjects from indignation at the mention of it, the promises of a *plentifull and unparalleld Revenue*, were reduced from generalls (which signifie nothing) to cleare and certaine particulars, since such a Bargaine would have but too great a resemblance of that of *Esau*, if We should part with such
Flowers

Flowers of Our Crowne, as are worth all the rest of the Garland, and have been transmitted to Us from so many Ancestours, and have been found so usefull and necessary for the welfare and Security of Our Subjects, for any present necessity, or for any low and sordid Considerations of Wealth and gain. And therefore all men knowing that those Accommodations are most easily made, and most exactly observed, that are grounded upon reasonable and equall Conditions, Wee have great Cause to beleieve, that the Contrivers of these had no intention of settling any firme Accommodation, but to increase those Jealousies, and widen that division, which (not by Our fault) is now unhappily fallen between Us and both Houses.

It is asked, *That all the Lords and others of Our privy Councell, and such* (We know now what you mean by *such*, but We have cause to thinke you mean *all*) *great Officers and Ministers of State, either at home or beyond the Seas,* (For care is taken to leave out no Person or place, that our dishonour may be secure to be bounded within this Kingdome, though no subtil Insinuations at such a distance can probably be beleieved to have been the cause of Our distractions and dangers) *should be put from Our Privy Councell, and from those Offices and employments, unlesse they be approved by both Houses of Parliament,* how faithfull soever We have found them to Us and the publick, and how farre soever they have been from offending against any Law, the onely rule they had, or any others ought to have to walke by. We therefore to this part of this demand return you this Answer, That we are willing to grant that they shall take a larger Oath then you your selves desire in your 11. Demand, for maintaining not of any part, but of the whole Law; And We have and doe assure you, That We will be carefull to make election of such persons in those places of trust, as shall have given good testimonies of their abilities and integrities, and against whom there can be no just cause of exception, whereon reasonably to ground a diffidence; That if We have or shall be mistaken in Our election, We have and doe assure you, that there is no man so neere to Us in place or affection, whom We will not leave to the Justice of the Law, if you shall bring a particular charge and sufficient proofes against him; And that We have given you (the best pledge of the effects of such a promise on Our part, and the best security for the performance of their dutie on theirs) a *Trienniall Parliament*, the apprehension of whose Justice will in all probability make them wary how they provoke it, and Us wary how We chuse such, as by the discovery of their faults may in any degree seem to discredit Our election. But that without any shadow of a fault objected, only perhaps because they follow their conscience, and preserve the established Laws, and agree not in such Votes, or assent not to such Bills, as some persons, who have now too great an influence even upon both Houses, judge or seem to judge, to be for the publick good, and

as are agreeable to that new *Vtasia* of Religion and Government into which they endeavour to transform this Kingdome; (for VVe remember what names, and for what Reasons you left out in the Bill offered Vs concerning the *Militia* which you had your selves recommended in the Ordinance) VVe will never consent to the displacing of any, whom for their former merits from, and affection to Vs and the publick, VVe have intrusted, since VVe conceive, That to doe so, would take away both from the affection of Our servants the care of Our service, and the Honour of Our Justice. And VVe the more wonder, That it should be askt by you of Vs, since it appeares by the 12th Demand, That your selves count it reasonable, after the present turne is served, *that the Judges and Officers who are then placed may hold their places quamdiu se bene gesserint.* And VVe are resolved to be as carefull of those VVe have chosen, as you are of those you would chuse, and to remove none, till they appeare to Vs to have otherwise behaved themselves, or shall be evicted by legall proceedings to have done so.

But this Demand (as unreasonable as it is) is but one linke of a great Chain, and but the first round of that Ladder, by which Our Just, Ancient, Regall Power is endeavoured to be fetched down to the ground. For it appears plainly, that it is not with the persons now chosen, but with Our choosing that you are displeased; For you demand, *That the persons put into the places and employments of those who shall be removed, may be approved by both Houses;* which is so farre (as to some it may at first sight appeare) from being lesse then the power of nomination, that of two things (of which We will never grant either) We would sooner be content that you should nominate and We approve, then you approve and We nominate; The mere nomination being so farre from being any thing, that if We could doe no more, We would never take the paines to doe that, when We should onely hazard those, whom We esteemed, to the scorn of a refusal, if they hapned not to be agreeable not onely to the Judgement, but to the passion, interest or humour of the present major part of either House. Not to speake now of the great factions, animosities and divisions which this power would introduce in both Houses, between both Houses, and in the severall Countries, for the choice of persons to be sent to that place where that power was, and between the persons that were so chosen. Neither is this strange Potion prescribed to Vs onely for once, for the cure of a present, pressing, desperate disease, but for a dyer to Vs and Our Posterity; It is demanded, *That Our Counsellors, all Chiefe Officers both of Law and State, Commanders of Ports and Castles, and all Peeres hereafter made* (as to voting without which how little is the rest?) *be approved of (that is, chosen) by them from time to time;* and rather then it should ever be left to the Crowne (to whom it onely doth and shall belong) *if any place full voyd in the intermission of Parlia-*

ment, the major part of the approved Councell is to approve them. Neither is it onely demanded, that We should quit the Power and Right Our Predecessors have had of appointing Persons in these places, but for Counsellours We are to be restrained, as well in the number, as in the persons, and a power must be annex to these places, which their Predecessors had not; And indeed if this power were past to them, it were not fit We should be trusted to choose those, who were to be trusted as much as we.

It is demanded, *That such matters as concerne the publicke, and are proper for the high Court of Parliament, (which is Our Great and Supreme Councell) may be debated, resolved and transacted onely in Parliament, and not elsewhere, and such as presume to doe anything to the contrary shall be reserved to the Censure and Judgement of the Parliament, and such other matters of State, as are proper for Our Privy Councell shall be debated and concluded by such of our Nobility (though indeed, if being made by Vs they may not Vote without the Consent of both Houses, we are rather to call them your Nobility) and others, as shall be from time to time chosen for that place, by approbation of both Houses of Parliament, and that no publicke Act concerning the affaires of the Kingdome, which are proper for Our Privie Councell, may be esteemed of any validity, as proceeding from the Royall Authority unlessse it be done by the Advice and Consent of the major part of our Councell, attested under their hands;* Which Demands are of that Nature, that to grant them were in effect at once to depose both Our selfe and Our Posteritie.

These being past, We may be waited on bare-headed; We may have Our hand kist; The Style of Majestie continued to Vs; And the Kings Authority, declared by both Houses of Parliament, may be still the Style of your Commands; We may have Swords and Maces carried before Vs, and please Our Self with the sight of a Crown and Scepter, (and yet even these Twigs would not long flourish, when the Stock upon which they grew were dead) but as to true and reall Power We should remain but the outside, but the Picture, but the signe of a King. We were ever willing that Our Parliament should debate, resolve and transact such matters as are proper for them, as far as they are proper for them: And We heartily wish, that they would be as carefull not to extend their Debates and Resolutions beyond what is proper to them, that multitudes of things punishable, and causes determinable by the Ordinary Iudicatures may not be entertained in Parliament, and so cause a long, chargeable, fruitlesse attendance of Our People, and (by Degrees) draw to you as well all the causes, as all the faults of *Westminster-Hall*, and divert your proper businesse; That the course of Law be no wayes diverted, much lesse disturbed, as was actually done by the stop of the proceedings against a Riot in *Southwarke*, by Order of the House of Commons, in a time so riotous and tumultu-

ous, as much increased the danger of Popular insolencies, by such a countenance to Riots, and discountenance of Law; That you descend not to the leasure of recommending Lecturers to Churches, nor ascend to the Legislative power, by commanding (the Law not having yet commanded it) that they whom you recommend be received, although neither the Parson nor Bishop do approve of them; And that the Refusers (according to the course so much formerly complained of to have been used at the Councel Table) be not sent for to attend to shew cause; At least, that you would consider conveniency, if not Law, and recommend none, but who are well known to you to be Orthodox, Learned, and Moderate, or at least such as have taken Orders, and are not notorious depravers of the Book of Common Prayer; A care which appeareth by the Discourses, Sermons and persons of some recommended by you, not to have been hitherto taken, and it highly concerns both you in dutie, and the Common-wealth in the consequences, that it should have been taken; That neither one state transact what is proper for two, nor two what is proper for three; and consequently, that (contrary to Our declared will) Our Forts may not be seized; Our Arms may not be removed; Our moneys may not be stopp'd; Our legall Directions may not be countermanded by you, nor We desired to countermand them Our Self, nor such entrances made upon a Real War against Vs, upon pretence of an imaginarie War against you, and a *Chimera* of necessity. So far do you passe beyond your limits, whilst you seem by your Demand to be strangely straitned within them. At least We could have wisht you would have expressed, what matters you meant as *fit to be transacted only in Parliament*, and what you meant by *only in Parliament*. You have (of late) been perswaded by the new doctrines of some few to think that proper for your debates, which hath not used to be at all debated within those wals, but been trusted wholly with Our Predecessors and Vs, and to transact those things which without the Regall authoritie, since there were Kings of this Kingdom, were never transacted: It therefore concerns Vs the more that you speak out, and that both We and Our People may either know the bottom of your Demands, or know them to be bottomlesse. What concerns more the Publike, and is more (indeed) proper for the high Court of Parliament, then the making of Laws? which not onely ought there to be transacted, but can be transacted no where else; but then you must admit Vs to be a part of the Parliament, you must not (as the sense is of this part of this Demand, if it have any) deny the freedom of Our Answer, when We have as much right to reject what We think unreasonable, as you have to propose what you think convenient or necessary; nor is it possible Our Answers either to Bills, or any other Propositions should be wholly free, if We may not use the Liberty of every one of you, and of every Subject, and

receive advice (without their danger who shall give it (from any person known or unknown, sworn or unsworn, in these matters in which the Image of Our Vote is traced by the Law) to Our own Judgement and Conscience, which how best to inform, is (and ever shall be) left likewise to Us, and most unreasonable it were that two Estates, proposing something to a Third, that Third should be bound to take no advice, whether it were to passe, but from those two that did propose it. We shall ever in these things which are trusted wholly to Vs by the Law, not decline to hearken to the advice of Our great Council, and shall use to hear willingly the free debate of Our Privie Council (whensoever We may be suffered to have them for sitting for, and they shall not be terrified from that freedom, by Vicious Brands of Malignants and Enemies to the State for advising what the Law forbids to advise) but We will retain Our Power of admitting, no more in any Council then the Nature of the businesse requires, and of discouraging whom We please, of what We please, and informing Our Vnderstanding by debate with any Persons, who may be well able to Inform and Advise in some particular, though their Qualities, Education or other Abilities may not make them so fit to be of Our sworn Council, and not tie Our Ears not to hear any more then twenty five (and those not chosen absolutely by Vs) out of a Kingdom so replenished with Iudicious and Experienced Persons in severall kinds. And though We shall (with the proportionable Consideration due to them) alwayes weigh the Advices both of Our Great and Privie Council, yet VVe shall also look upon their Advices, as Advices, not as Commands, or Impositions; upon them as Our Counsellours, not as Our Tutors and Guardians; and upon Our Self as their King, not as their Pupill or VVard; for whatsoever of Regality were by the Modesty of Interpretation left in Vs in the first part of the second Demand, as to the Parliament, is taken from Vs in the second part of the same, and placed in this new fashioned kinde of Counsellours, whose power is such and so expressed by it that in all publike Acts concerning the Affairs of this Kingdom, which are proper for Our Privie Council (for whose Advice all publike Acts are sometimes proper, though never necessary) they are desired to be admitted joynt Patrons with Vs in the Regality, and it is not plainly expressed whether they mean Vs so much as a single Vote in these Affairs: But it is plain they mean Vs no more at most then a single Vote in them, and no more power then every one of the rest of Our Fellow-Counsellours; only leave to Vs, out of their respect and dutie, (and that only is left of all Our ancient Power) a Choice, whether these that are thus to be joynted with (or rather recovered) Vs, shall be fifteen or twenty five, and great care is taken that the Dash which these Men shall take, shall be such, in the framing the forme of which (though how We are

not wholly unconcerned in it) VVe may be wholly excluded, and that wholly carried to be agreed upon by both Houses of Parliament.

And to shew that no more Care is taken of Our safety, then of Our Power, after so great indignities offered to Vs, and countenanced by those who were most obliged to resent them: After Our Town and Fort kept from Vs (from which, if it were no other wise Ours then the whole Kingdom is, VVe can no more legally, be kept out then out of Our whole Kingdom, which sure your selves will not deny to be Treason) Our Arms, Our Goods sent away, and Our Money stoppt from Vs, Our Guards (in which VVe have no other Intention then to hinder the end of these things from being proportionable to their beginnings) are not onely desired to be dismissed before satisfaction for the injuries, punishments of the Insurers, and care taken for Our future Security from the like: But it is likewise desired, (and for this Law is pretended, and might as well have been for the rest, which yet with some ingenuity are it seems acknowledged to be but Desires of Grace) that VVe shall not for the future raise any Guards or extraordinary Forces but in case of a actual Rebellion or Invasion, which if it had been Law, and so observed in the time of Our Famous Predecessours, few of those Victories which have made this Nation famous in other parts, could have been legally achieved, nor could Our blessed Predecessour Queen *Elizabeth* have so defended Her self in 88. And if no Forces must be leaved till Rebellions and Invasions (which will not stay for the calling of Parliaments, and their consent for raising Forces) be actual, they must undoubredly (at least most probably) be effectual and prevalent.

And as neither care is taken for Our Rights, Honour, nor safety as a Prince, so Our Rights as a private Person are endeavoured to be had from Vs, it being asked, that it may be unlawfull and punishable, not only to conclude, but even to treat of any Marriage with any Person for Our own Children, or to place Governours above them, without consent of Parliament, and in the intermission of those, without the consent of Our good Lords of the Council, that VVe may not onely be in a more despicable state then any of Our Predecessours, but in a meaner and viler condition then the lowest of Our Subjects, who value no liberty they have more, then that of the free Education and Marriage of their Children, from which VVe are asked to debar Our Self, and have the more reason to take it ill, that VVe are so, because for Our choice of a Governour for Our Son, and of a Husband for Our Daughter, (in which the Protestant Religion was Our principall Consideration) VVe conceived VVe had reason to expect your present thanks, and the increase of your future trusts.

VVe suppose these Demands by this time to appear such as the Demanders cannot be supposed to have any such reall fear of Vs as hath been long pre-

tended, they are too much in the style, not onely of equals, but of Conquerours, and as little to be intended for removing of Jealousies (for which end they are said to be asked, and that is not as Merchants ask at first much more then they will take, but as most necessary to effect it which (if they be) God help this poor Kingdom, and those who are in the hands of such Persons, whose Jealousies nothing else will remove) which indeed is such a way, as if there being differences and suits between two persons, whereof one would have from the other severall parcells of his ancient Land, he should propose to him by way of Accommodation, that hee would quit to him all those in question, with the rest of his Estate, as the most necessary and effectually means to remove all those suits and differences. But we call God to witness, that as for Our Subjects sake these Rights are vested in Vs, so for their sakes, as well as for Our own. We are resolved not to quit them, nor to subvert (though in a Parliamentary way) the ancient, equall, happy, well-possessed and never-enough, commended Constitution of the Government of this Kingdom, nor to make Our Self of a King of *England* a Duke of *Venice*, and this of a Kingdom a Republique.

There being three Kindes of Government amongst men, Absolute Monarchy, Aristocracy, and Democracy, and all these having their particular conveniences and inconveniences. The experience and wisdom of your Ancestors hath so moulded this out of a mixture of these, as to give to this Kingdom (as far as humane Prudence can provide) the conveniences of all three, without the inconveniences of any one, as long as the Balance hangs even between the three Estates, and they run joyntly on in their proper Chanell (begetting Verdure and Fertility in the Meadows on both sides) and the overflowing of either on either side raise no deluge or Inundation. The ill of absolute Monarchy is Tyranny, the ill of Aristocracy is Faction and Division, the ills of Democracy are Tumults, Violence and Licentiousnesse. The good of Monarchy is the uniting a Nation under one Head to resist Invasion from abroad, and Insurrection at home: The good of Aristocracy is the Conjunction of Counsell in the ablest Persons of a State for the publick benefit: The good of Democracy is Liberty, and the Courage and Industry which Liberty begets.

In this Kingdome the Laws are joyntly made by a King, by a House of Peers, and by a House of Commons chosen by the People, all having free Votes and particular Priviledges: The Government according to these Laws is trusted to the King, Power of Treaties of War and Peace, of making Peers, of choosing Officers and Counsellours for State, Judges for Law, Commanders for Forts and Castles, giving Commissions for raising men to make Warre abroad, or to prevent or provide against Invasions or Insurrections at home, benefit of Confiscations, power of pardoning, and some more of the like kinde

are placed in the King. And this kind of regulated Monarchy having the power to preserve that authority, without which it would be disabled to preserve the Laws in their Force, and the Subjects in their liberties and proprieties, is intended to draw to him such a Respect and Relation from the great Ones, as may hinder the ill of Division and Faction, and such a Feare and Reverence from the people, as may hinder Tumults, Violence and licentiousness. Again, that the Prince may not make use of this high and perpetuall power to the hurt of those for whose good he hath it, and make use of the name of Publick Necessitie for the gain of his private Favourites and Followers, to the detriment of his People, the House of Commons (an excellent Conserver of Liberty, but never intended for any share in Government, or the chusing of them that should govern) is solely intrusted with the first Propositions concerning the Levies of Moneys (which is the sinewes as well of Peace as War) and the impeaching of those, who for their owne ends, though countenanced by any surreptitiously gotten Command of the King have violated that Law, which he is bound (when he knows it) to protect, and to the protection of which they were bound to advise him, at least not to serve him in the contrary. And the Lords being trusted with a Judicatory power, are an excellent Screen and Bank between the Prince and People, to assist each against any Incroachments of the other, and by just Judgements to preserve that Law, which ought to be the Rule of every one of the three. For the better enabling them in this, beyond the Examples of any of Our Ancestors, We were willingly contented to Oblige Our Selfe, both to call a Parliament every three years and not to dissolve it in fifty dayes, and for the present exigent, the better to raise Money, and avoide the pressure (no lesse grievous to Us then them) Our people must have suffered by a longer continuance of so vast a Charge as two great Armies, and for their greater certainty of having sufficient time to remedy the inconveniences arisen during so long an absence of Parliaments, and for the punishment of the Causers and Ministers of them, We yeilded up Our Right of dissolving this Parliament, expecting an extraordinary moderation from it in gratitude for so unexampled a Grace, and little looking that any *Malignant Partie* should have been encouraged or enabled to have perswaded them, first to countenance the Injustices and Indignities We have endured, and then by a new way of Satisfaction for what was taken from Us, to demand of Us at once to Confirm what was so taken, and to give up almost all the rest.

Since therefore the Power Legally placed in both Houses, is more then sufficient to prevent and restrain the power of Tyranny, and without the power which is now asked from Us, Wee shall not be able to discharge that Trust which is the end of Monarchy, since this would be a rotall Subversion of the Fundamentall Laws, and that excellent Constitution of this Kingdome, which hath,

hath made this Nation so many yeeres both Famous and happy to a great degree of Envie; since to the power of punishing (which is already in your hands according to Law) if the power of Preferring be added, VVe shall have nothing left for Us, but to looke on; since the encroaching of one of these Estates upon the power of the other is unhappy in the effects both to them and all the rest; since this power of at most a joynt Government in Us with Our Councellours, (or rather Our Guardians) will returne Vs to the worst kind of Minority, and make Vs despicable both at home and abroad, and beget eternall Factions and Dissentions (as destructive to publike Happinesse as War) both in the chosen, and the Houses that chuse them, and the people who chuse the Chusers; since so new a power will undoubtedly intoxicate persons who were not born to it; and beget not onely Divisions among them as equals, but in them contempt of Vs as become an equall to them, and Insolence and Injustice towards Our people, as now so much their inferiours, which will be the more grievous unto them, as suffering from those who were so lately of a neerer degree to themselves, and being to have redresse onely from those that placed them, and fearing they may be inclined to preserve what they have made, both out of kindenesse and policie; since all great changes are extremely inconvenient, and almost infallibly beget yet greater Changes, which beget yet greater Inconveniences.

Since as great an one in the Church must follow this of the Kingdom; Since the second Estate would in all probability follow the Fate of the first, and by some of the same turbulent spirits Jealousies would be soon raised against them, and the like Propositions for reconciliation of Differences would be then sent to them, as they now have joyned to send to Vs, till all Power being vested in the House of Commons, and their number making them incapable of transacting Affairs of State with the necessary Secrecie and expedition; those being retrusted to some close Committee, at last the Common people (who in the mean time must be flattered, and to whom Licence must be given in all their wilde humours, how contrary soever to established Law, or their own reall Good) discover this *Arcanum Imperii*, That all this was done by them, but not for them, grow weary of Iourny-work and set up for themselves, call Parity and Independence, Liberty; devour that Estate which had devoured the rest; Destroy all Rights and Proprieties, all distinctions of Families and Merit; And by this means the splendid and excellently distinguished form of Government end in a dark equall Chaos of Confusion, and the long Line of Our many noble Ancestors in a *Jack Cade*, or a *Wat Tyler*.

For all these Reasons to all these demands Our Answer is, *Nolumus Leges Angli mutari*: But this VVe promise, that VVe will be as carefull of preserving

erving the Laws in what is supposed to concerne wholly Our Subjects, as in what most concerns Our Self; For indeed VVe professe to believe, that the preservation of every Law concerns Vs, those of obedience being not secure, when those of protection, are violated; And VVe being most of any injured in the least violation of that, by which VVe enjoy the highest Rights and greatest benefitis, and are therefore obliged to defend no lesse by Our interest then by Our duty, and hope that no Jealousies to the contrary shall be any longer nourished in any of Our good People, by the subtilt insinuations, and secret practices of men, who for private ends are disaffected to Our Honour and Safety, and the Peace and Prosperity of Our People. And to shew you, that no just indignation at so reproachfull offers shall make Vs refuse to grant what is probable to conduce to the good of Our good People, because of the ill company it comes in, VVe will search carefully in this heap of unreasonable Demands, for so much as VVe may (complying with Our Conscience, and the duty of Our Trust) assent unto, and shall accordingly agree to it.

In pursuance of which Search, in the fourth Proposition, under a Demand which would take from Vs that trust which God, Nature, and the Laws of the Land have placed in Vs, and of which none of you could endure to be deprived; VVe find some thing to which VVe give this Answer, That Wee have committed the principall places about Our Children to persons of Quality, Integrity and piety, with speciall regard that their Tender yeers might be so seasoned with the principles of the true Protestant Religion, as (by the blessing of God upon this Our care) this whole Kingdome may in due time reap the fruit thereof: And as We have been likewise very carefull in the choice of Servants about them, that none of them may be such, as by ill principles, or by ill Examples to crosse Our endeavours for their pious and Vertuous Education, so if there shall be found (for all Our care to prevent it) any person about Our Children (or about Vs, which is more then you ask) *against whom both Houses* shall make appeare to Vs *any just exception*; We shall not onely remove them, but thank you for the Information; Onely VVe shall expect, that you shall be likewise carefull that there be no under-hand dealing by any to seek faults, to make room for others to succeed in their places.

For the fifth Demand, as VVe will not suffer any to share with Vs in Our power of Treaties which are most improper for Parliaments, and least in those Treaties in which Wee are neerliest concerned, not onely as a King, but as a Father, yet VVe doe (such is our desire to give all reasonable satisfaction) assure you by the word of a King, that VVe shall never propose or entertaine any Treaty whatsoever for the Marriage of any of Our Children without due regard to the true Protestant profession, the good of Our Kingdomes, and the Honour of Our Family.

For the sixth Demand, concerning *the Laws in force against Jesuits, Priests, and Popish Recusants*. We have by many of Our Messiges to you, by Our voluntary promise to you, so solemnly made never to pardon any popish Priest by Our strict Proclamations lately published in this point, and by the publicke Examples which We have made in that case since Our Residence at *York*, and before at *London*, sufficiently expressed Our zeal herein. Why doe you then aske that, in which Our own Inclination hath prevented you? And if you can yet find any more effectuall Course to disable them from Disturbing the State, or eluding the Law by trusts or otherwise, We shall willingly give Our Consent to it.

For the seventh, concerning *the Votes of Popish Lords*. Wee understand that they in discretion have withdrawn themselves from the Service of the House of Peers, (and had done so when use was publicly made of their names to asperse the Votes of that House, which was then counted as Malignant as those (who are called *Our unknown and unsworn Counsellours*) are now) neither doe We conceive that such a positive Law against the Votes of any whose blood gives them that right, is so proper in regard of the priviledge of Parliament, but are content, that so long as they shall not be conformable to the Doctrine and Discipline of the Church of *England*, they shall not be admitted to sit in the House of Peers, but onely to give their Proxies to such Protestant Lords as they shall chuse, who are to dispose of them as they themselves shall thinke fit, without any Reference at all to the Giver.

As to the desires for a *Bill for the Education of the Children of Papists by Protestants in the Protestant profession*, many about Us can witnesse with Us, That We have often delivered Our Opinion, that such a Course (with Gods blessing upon it) would be the most effectuall for the rooting out of Popery out of this Kingdome; We shall therefore thanke you for it, and encourage you in it, and when it comes unto Us do Our Duty; And We heartily wish, for the publicke good, that the time you have spent in making Ordinances without Us, had been employed in preparing this and other good Bills for Us.

For the eighth, touching *The Reformation to be made of the Church Government and Liturgie* Wee had hoped, that what We had formerly declared concerning the same, had been so sufficiently understood by you and all good Subjects, that We should not need to have expressed Our Selfe further in it. Wee told you in Our Answers to your Petition presented to Us at *Hampton Court* the first of *December* That for any illegall Innovations which may have crept in, we should willingly concur in the removall of them; That if Our Parliament should advise us to call a Nationall Synod, which may duly examine such Ceremonies as give just cause of offence to any, We should take it into Consideration, and apply Our Selfe

Selfe give due satisfaction therein; That we were perswaded in Our Conscience,
 that no Church could be found upon the Earth that professeth the true Religion with
 more purity of Doctrine, then the Church of England doth, nor where the Govern-
 ment and Discipline are joyntly more beautified, and free from Superstition, then as
 they are here established by Law; which (by the grace of God) We will with
 Constancie maintain (while We live) in their purity and Glory, not onely a-
 gainst all Invasions of Popery, but also from the Irreverence of those many
 Schismatics and Separatists, wherewith of late this Kingdome and Our City
 of London abounds. to the great dishonour and hazard both of Church and
 State; For the suppression of whom Wee required your timely and active affi-
 stance. We told you in your first Declaration Printed by the advice of Our
 Privy Conncell, That for differences amongst our selves for matters indifferent in
 their own nature concerning Religion, We should in tenderesse to any number of Our
 loving Subjects very willingly comply with the advice of Our Parliament, that some
 Law might be made for the exemption of tender Consciences from punishment or
 prosecution for such Ceremonies, and in such Cases, which by the judgement of most
 men are held to be matters indifferent, and of some to be absolutely unlawfull; Pro-
 vided, that this ease should be attempted and pursued with that modesty, temper, and
 submission, that in the meane time the peace and quiet of the Kingdom be not distur-
 bed, the Decency and Comeliness of Gods Service discontinued, nor the Pious,
 Sober, Devout actions of those Reverend Persons who were the first Labourers in
 the blessed Reformation, or of that time, be scandalled and defamed. And we hearti-
 tily wish, that others whom it concerned, had beene as ready) as their duty
 bound them, though they had not received it from Us (to have ruffled this
 Caution, as We were, and still are willing and ready to make good every par-
 ticular of that promise. Nor did We onely appare willing to joyne in to good
 a Work, when it should be brought Vs, but prest and urged you to it by Our
 Message of the fourteenth of February, in these words, And because His Ma-
 jesty observes great and different troubles to arise in the hearts of his People con-
 cerning the Government and Liturgie of the Church, His Majesty is willing to de-
 clare, That He will refer the whole consideration to the wisdom of His Parliament,
 which He desires them to enter into speedily, that the present distractions about the
 same may be composed: but desires not to be pressed to any single Act on His part,
 till the whole be so digested and settled by both Houses, that his Majesty may cleerly
 see what is fit to be left, as well as what is fit to be taken away: Of which We the
 more hoped of a good successe to the generall satisfaction of Our people, because
 you seeme in this Proposition to desire but a Reformation, and not (as is daily
 preached for as necessary in those many Conventicles which have within these
 nineteen moneths begun to swarm, and which, though their Leaders differ from

you in this opinion, yet appare to many as countenanced by you, by not being punished by you, (few else, by reason of the Order of the House of Commons of the ninth of *September*, daring to doe it) a destruction of the present Discipline and Liturgie. And VVe shall most cheerfully give *Our best assistance for raising a sufficient mainenance for preaching Ministers*, in such course as shall be most for the encouragement and advancement of Piety and Learning.

For the Bills you mention, and the Consultation you intimate, knowing nothing of the particular matters of the one, (though VVe like the Titles well) nor of the manner of the other, but from an Informer, (to whom VVe give little credit, and VVe wish no man did more) Common fame, Wee can say nothing till We see them.

For the eleventh We would not have the *Oath of all Privy Counsellors and Judges* straightned to particular Statutes of one or two particular Parliaments, but extend to all Statutes of all Parliaments & the whole Law of the Land, and shal willingly consent *that an enquire of all the breaches and violations of the Law may be given in charge by the Iustices of the Kings Bench every Terme, and by the Iudges of Assize in their Circuits, and Iustices of Peace at the Sessions to be presented and punished according to Law.*

For the seventeenth, VVe shall ever be most ready, and VVe are sorry it should be thought needfull to move Us to it) not onely to joyne with any (particularly with the *States of the Vnited Provinces*, of which VVe have given a late proof in the Match of Our Daughter) for the defence and maintenance of Protestant Religion, against all designs and attempts of the Pope and his adherents, but singly (if need were) to oppose with Our life and fortune *all such Designs* in all other Nations, were they joyned: And that for Considerations of Conscience, far more then any temporall end of obtaining *accesse of strength and reputation*, or any naturall end of restoring Our Royall Sister and her Princely issue to their *Dignities and Dominions*, though these be likewise much considered by Us.

For the eighteenth, it was not Our fault that an Act was not passed to clear the Lord Kymbolton, and the five Members of the House of Commons, but yours who inserted such Clauses into both the Preamble and Act (perhaps perswaded to it by some who wish not that you should in any thing receive satisfaction from Us) as by passing the Preamble VVe must have wounded Our Honour against Our Conscience, and by another Clause have admitted a Consequence, from which VVe could never have bin secured, by declaring, *That no Member of either House, upon any Accusation of Treason, could have his Person seized without the Consent of that House of which he is Member*, though the knowne Law be, *That Priviledge of Parliament extends not to Treason*, and if it did, any Member (the House being for a short time adjourned, and so their Consent not

being

being so had) how treasonable soever his Intentions were, how clearly soever known, and how suddenly soever to be executed, must have fair leave given him to go on and pursue them, no way, how Legall soever, after the passing such a Clause, being left to prevent it.

To conclude, VVe conjure you and all men to rest satisfied with the Truth of Our Professions, and the Reality of Our Intentions; not to aske such things as deny themselves; That you Declare against Tumults and punish the Authours; That you allow Us Our Propriety in Our Towns, Arms and Goods, and Our Share in the Legislative Power, which would be counted in Us, not onely breach of Priviledge, but Tyranny and Subversion of Parliaments to deny to you: And when you shall have given Us satisfaction upon those persons who have taken away the One, and recalled those Declarations (particularly that of the 26 of *May*, and those in the point of the *Militia*, (Our just Rights, wherein VVe will no more part with then with Our Crowne, lest VVe enable others by them to take that from Us) which would take away the other, and declined the beginnings of a VVar against Us, under pretence of our Intention of making One against you: as VVe have never opposed the first part of the thirteenth Demand, so VVe shall be ready to concur with you in the latter.

And being then confident that the credit of those Men, who desire a generall combustion, will be so weakned with you, that they will not be able to do this Kingdom any more harm, VVe shall be willing to grant Our generall Pardon, with such exceptions as shal be thought fit, & shal receive much more joy in the hope of a full and constant Happinesse of Our people in the True Religion, and under the protection of the Law, by a blessed Union between Vs and Our Parliament (so much desired by Vs) then any such increase of Our Owne Revenue (how much soever beyond former Grants) as (when Our Subjects were wealthiest) Our Parliament could have setled upon Us.

FINIS.

His Majesties Declaration to the Ministers, Free-holders,
Farmers, and substantiall Copy-holders of the
County of *Yorke*. *Iune* the third, 1642.

WEe would have you to be assured that We never intended the least neglect unto you in any former Summons of the Countrey; Our love, as well as Our protection, extending to all Our Subjects;

But as you are a great Body, time and conveniency must be observed in your Assembling.

That you may know the generall Reasons of Our being here, you must understand, That when We found it neither safe nor honourable to expose Our Person to the tumultuous and licentious proceedings of many (which to this day are unpunished) who did disorderly approach neer Our Court at *Whitehall*. We trusted this part of Our Dominions chiefly to reside in; where, as most of the Gentry already have, so We assure Our selves the rest of you will give us cleer testimony of your service and obedience, which We will never use otherwise then for the defence of the true Orthodox Religion professed and settled in *Queen Elizabeths* time, and confirmed by the Authority of the Statutes of this Realme, the defence of the Laws and fundamentall Constitutions of this Kingdom (as the justest Measure and Rule for Our Prerogative, and your Liberties and Rights) and lastly, for the preservation of the peace of this Kingdom.

As for Our own Zeal to the Protestant profession. Wee refer all the world to Our daily exercise of, and Our Declarations concerning it, and execution of the Laws against the Papists; so likewise We cannot but declare our Self most heartily sorry to find such Separatists & Schismatics, who presume against Law, to foment new Doctrines & Disciplines to the disturbance of the Church & State.

For the Law, it being the common inheritance of Our people, We shall never enforce any prerogative of Ours beyond it, but submit Our Self to it, and give you, and all Our Subjects the fullest latitude of it, both for the liberty of your persons, and the propriety of your Estates. And for an inviolable confidence and assurance hereof, as We take God (the Searcher of all hearts) to witness Our Reall intention herein, so We shall no longer desire you to stand for the defence of Our Person, Honour, and just Prerogatives, then Wee shall maintain the Laws of the Land, the liberty of your persons, and the propriety of your Goods.

And for the cleere understanding of Our Resolutions to maintaine peace, We may have the confidence and happinesse to refer (against all malignity whatsoever) to Our former sixteene yceres Reign; (too long to dissemble Our Nature) if in all this time We never caused the effusion of one drop of blood, it must needs be thought that in Our riper judgement in Government, We should never open such Issues as might drown Us and Our posterity in them: But We are sure to have no enemies, but in the defence of the true Protestant profession, the Right of the established Laws, and for the preservation of peace: and certainly all these must be all yours, as well as Our Enemies.

And to the end that this present posture wherein We meet, should not affright you, with the distempers of the times, the Example of the two Houses having
made

made Vs prepare for a Guard to Vs and Our Childrens persons, We wish you to looke into the Composition and Constitution of it, and you will find it so far from the face or feare of War, that it serves to secure you, as well as Vs, from it: For our Choice is of the prime Gentry, and of one Regiment of Our Trained Bands, which cannot be thought to oppresse the Country (being their own) nor war with themselves. And We further assure you, We never intended to use Forreigners or disaffected in Religion: and that you may fully assure your selves of Our sole dependancie upon the love and service of Our own people, to live and die with them, Wee have Armed these our Subjects; which had been most irrationall, if Wee had ever intended to have used Strangers. And further, you may perceive that We receive none, but such as stand cleer in Loyaltie and Religion, for which Reason We have caused the Oaths of Allegiance and Supremacy to be given them. Likewise, to prevent any distempers at home, We have, and shall put the Trained Bands of all this Our Kingdom under the Command of persons of honour, confidence, and affection to their Country; straitly charging upon their Allegiances; no Officer to accept any command in them, nor Souldiers to obey any save such as are authorized by Vs. And for the prevention of any innovated power over you, you shall have Vs here to govern you, and the Souldiery to protect you in peace, and to relieve you against all Oppressions; for that, as We have told you before, must arise from some great violation (which We hope God will prevent) and not from this preparation of Our Subjects. Therefore let none of you be affrighted with vain fears; if such a War should follow, it follows the Authours home to their own doores: and such (by the confidence of Our person with you) Wee assure Our Selfe you are not.

Here We had left you to your fidelity and duty, had not some malicious insolence in Our former meetings sent forth most presumptuous Summons deceiving Our People, and presuming upon Our Royall Authority; and these present themselves as great Defenders of Religion, Peace, and Liberty; whereas they become infectious, and contagious to the People, seducing them into vaine fancies and delusions, as may appear by their Warrants which We could trace to some Pulpits, as We are credibly informed: And you see it were just in Vs, to punish these as Authours of Sedition, but that it would be too great a favour, for it would honour them with the Title of Martyrdome, for Gods cause, as they vainly pretend. But you may now see from whence this Spirit comes, that would make Vs to be in the Act of destruction of Religion, Our Person a disturber of the Peace, and ready to introduce Slavery. These here are all the forreigne Forces Wee have, or ever shall intend to have, to act these great Designs, notwithstanding the vain fears hitherto imagined. So that you see it is
high

high time that these fancies were dispersed and driven away, that We might be repaired in Honour and Interest, and you enjoy the blessing of Peace and Happinesse, the advancement whereof shall be Our study and comfort : and therefore We shall (when you shall think it a convenient time) ease you in the number of the Trained Bands : And for your billet-Money, it had been long since paid, but that no part of the Subsidies (which VVe passed for that purpose) came to Our hands, and VVe shall not be wanting in any thing that lyeth in Us for the full satisfaction thereof : And shall make Our Grace and Bounty to you answerable to your best fidelity and loyalty, as occasion shall be offered to Us.

FINIS.

**A Declaration of the Lords and Commons in Parliament,
Concerning a Printed paper intituled, a Letter sent from
the Kings Majesty to the Lords of the Privy Councell
of the Kingdome of Scotland.**

*As also, Another paper in forme of a Petition directed to the Lords
of his Majesties Privy Councell.*

THe Lords and Commons in Parliament have perused a Printed paper under this Title, a Letter sent from the Kings Majesty, to the Lords of the Privy Councell of the Kingdom of Scotland, bearing in the front the appearance of his Majesties usuall Signature, and in the bottom this Date. *Given at Our Court at York the twentieth of May, 1642.* As likewise another Paper in the form of a Petition with this inscription, *To the right Honourable, the Lords of His Majesties Privy Councell, the humble Petition of many Noblemen, Gentlemen, Burgesse, and Ministers occasionally meeting at Edenborough :* and having been credibly informed that they are true Copies of a Letter, and a Petition sent and delivered as the severall Titles import, upon mature consideration of the matters therein contained, do declare and protest, that those sufferings expressed in the papers betwixt his Majestie and Parliament cannot justly be imputed to any Actions or Intentions of Ours, who have endeavoured with all fidelity to procure the happinesse of his Majesty, and of this Kingdom, and that we are not guilty of laying upon the King, any such calumnies and Aspersions as are mentioned in that paper, and seem to reflect upon Us, but on the contrary have laboured to take the blame from His Majesty, and to lay it upon His evill Councell: and as touching the Petition aforementioned, VVe do with

much

much contentment and thankfulnesse, observe the faithfullnesse and good affection of our Brethren of *Scotland*, in seeking to prevent all Jealousies, and to preserve the Peace betweene the two Nations, so timely expressed to the Lords of the Councell, whereby the hopes of those who practised to have drawne from their Lordships some Declaration to the prejudice of this Kingdom, were frustrated, and we shall never cease to answer this great care of theirs, with the like earnest and diligent endeavours to promote the Honour, Wealth, and Prosperity of that Nation, and preserve that Union so strongly fortified by publike and mutuall interest and affection on both sides; And wee desire that the Commissioners may give notice to the *Scots* Commissioners, how heartily and joyfully we doe embrace the kindnesse of that Kingdome, manifested in that Petition.

And order this Declaration to be forthwith Printed. that so it may be published to the whole Kingdom of *Scotland*, hoping that this constant and inviolable Amity betwixt Us, will not only conduce to the safety and honour of both Kingdomes, but prove very usefull for the advantage and security of the Protestant Religion in other parts.

FINIS.

Ordere*d by the Lords and Commons, That this Declaration be forthwith Printed and published.*

H. Elsing Cler. Parl. Dom. Com.

Die Sabbathi 4 Iunii, 1642.

It is this day ordered by the Lords and Commons in Parliament. That the Deputy-Lieutenants of the severall and respective Counties within the Kingdom of *England*, and Dominion of *Wales*, that are not Members of the House of Commons, be hereby required and enjoyned to be present at the dayes, and places, which are, or shall hereafter be appointed by the Lord-Lieutenants, or their Deputies, for the Training, Mustering, and Exercising of the Inhabitants of the said Counties, according to the authority given unto them by an Ordinance of both Houses of Parliament. And it is further ordered, that all Deputy-Lieutenants, as well those that are Members of the House of Commons, as others, shall give such dispatch by preparing of warrants, commissions, or Letters, and subscribing of the same, as the service shall require; And that such as shall refuse, or neglect so to do, that their Names be certified unto us by their Fellow Deputies, or any one of them that shall or do perform the said service. And it is

further declared, That it is the Intention of both Houses, for the better encouragement of so good a work, so much conducing to the safety of His Majesties Person and Kingdomes, That some of their Members at the times and places appointed, or to be appointed for the execution of the said Ordinance shall be sent downe to give their personall attendance upon the said service.

Ordered to be Printed.

H. Ellyng, Cler. Parl. D. Com.

The Lord Willoughby of Parham, his Letter to an Honourable Member of the House of Parliament.

My Lord,

I Received a Letter from your Lordship, in which the House is pleased to do me a very great Honour, far above any desert of mine, and little expected by me : for my Lord, I well know my obedience tyes mee to fulfill their Commands, and in that I have done, I have done but my duty, and that which every honest man ought to do, and oweth of right to the Parliament; and who-soever hath that principle in him, it will distate to him as much, and keep him from other by-ways : And for my own part, my heart ever was, and shall ever be, both forward and ready to obey their Lordships Commands in all things, both with integrity and indultry, and Gods curse light upon him and his, that carries any other heart about him. My Lord, it is too mean a way for me to expresse my acknowledgement in paper to the House for this high favour which I have received by your Lordships Letter. I hope to make it appeare by my actions that their Lordships see, I am not an ungratefull servant. It is a great encouragement to these parts, their Lordships Resolutions, in giving their Commands to have the rest of the *Militia* put in present execution; and truly my Lord, it was out of that regard that I did intimate it to my Lord of *Essex*, as holding it a thing much conducing to the publike good, and the only Remedy to cure these Distractions which the Kingdom is in, not out of any regard to my self; for I know, if I suffer in executing their Lordships commands, it must be against their wils, and when that day comes I will not give a straw for all I have, were I but a looker on. My Lord, as 'twas this day at *Lincoln*, where I appointed to begin to Muster, there came a Messenger from his Majesty, with this Letter, which I held it my duty to acquaint the House with, and likewise my Answer, and am for *Lincoln*, where, as in all other places, I shall be ready to serve your Lordship,

As your most humble servant,

F. Willoughby.

My

MY Lord, ere my Letter was sealed up, I could not but give your Lordship an accompt in how good a posture I found the Trained Band of *Lincolne*, which was farre beyond my expectation, considering the unhappinesse in the sicknesse, being disperfed in the Towne, which hindred the appearance of some; But truly my Lord that was fully supplied by a Company of Voluntiers, equall in number and goodnesse of Armes to the Trained Bands.

Lincolne 6 Iune 1642.

His Majesties Letter to the Lord Willoughby of Parham.

Charles Rex,

Right trusty and welbeloved, We greet You well: Whereas Wee understand, that You have begun to Assemble, Traine, and Muster the Trained Bands of Our County of *Lincolne*, under pretence of an Ordinance of Parliament, whereto We have not given Our Consent; Which is not only contrary to Law, but to Our Command and Pleasure, signified by Our Proclamation sent to the high Sheriiff of that our County: Wherefore, That You may not hereafter plead ignorance of such Our Prohibition; We doe by these Our Letters, Command and charge You, upon Your Allegiance, to desist and forbear to Raife, Muster, Train, Exercise, or Assemble together any part of the Trained Bands of Our County, either by Your self, or by any others employed under You, or by Warrant from You. And because You may, for what You have already done, concerning the *Militia* of that Our County, plead that You had not so particular a Command, We shall passe by what You have already done therein, So as presently upon Your receipt hercof, You shall desist and give over meddling any further with any thing belonging to the *Militia* of that Our County; But if You shall not presently desist, and forbear meddling therewith, We are resolved to call You to a strict Accompt for Your Disobedience therein, after so many particular and legall Commands given You, upon Your Allegiance to the contrary, and shall esteeme and proceed against You as a disturber of the Peace of Our Kingdome.

Given at Our Court at York, the fourth of June, 1642.

To Our right trusty and welbeloved the Lord Willoughby of Parham.

*The Lord Willoughby of Parham his Letter in Answer
to His Majesties.*

SIR,

AS there can be nothing of greater unhappinesse to mee, then to receive a Command from your Majestie, whereunto my endeavours cannot give so ready an obedience, as my affections : so I must confesse the difficulty at this time not a little, how to expresse that duty which I owe to your Majesties late Commands, and not falsifie that trust reposed in mee by your high Court of Parliament ; through whose particular directions I am now come into this County to settle the *Militia*, according to the Ordinance of Parliament, which by the Votes of my Lord *Listleton*, and others in the Houle of Peers, better versed in the Laws then my self, passed as a Legall thing, and hath since been confirmed (if I mistake not) by his example, and your Majesties Chief Justice Sir *John Banks*, both in accepting their Ordinance, and nominating their Deputy-Lieutenants : how much further they proceeded, I know not.

But Sir, if the Opinions of those great Lawyers drew mee into an Act unsuitable to your Majesties liking : I hope the want of yeeres will excuse my want of judgment. And since the Command of the Parliament, I am now so far ingaged in their service as the sending out Warrants to summon the County to meet me this day at *Lincolne*, and afterwards in other places ; I doe most humbly beseech your Majesty not to impose that command on me, which must needs render me false to those that relie on me, and so make me more unhappier then any other misery can fall upon me.

These things, Sir, I once more humbly beseech your Majesty may be taken into your gracious consideration, and that you would never be pleased to harbour any misconceit of me, or of this action, since nothing hath yet passed by my Commands here, or ever shall ; but what shall tend to the honour and safety of your Majesties Person, to the preservation of the peace of your Kingdom, and to the content (I hope) of all your Majesties Subjects in these parts ; amongst which I remaine

*Your Majesties most humble, and most dutifull
Subject and Servant,*

F. Willoughby.

The

The Message of the Lords to the House of Commons, upon the Lord Willoughby of Parham His Letter and Service in the execution of the Ordinance concerning the Militia.

THe Lords have thought fit to let you know, how much they value and approve the endeavours of this Lord, in a service so much importing the safetie of this Kingdome, and they doubt not of your readinesse to concurre with them, upon all occasions to manifest the sence they have, and shall retaine of his deservings, which appears the greater, by how much the difficulties (by those circumstances you have heard read) have been greater. And as my Lords resolve to make his interest their own, in this service; for the publike good, and safety of this Kingdome, so they desire you to joyne with them, in so good and necessary a worke.

Resolved by the House of Commons to joyne with the Lords in this Vote, and do make the like Resolution for the Deputy-Lieutenants for the County of *Lincolne*, and desire the Lords concurrence therein.

Ordered by the Lords in Parliament, That they agree with the House of Commons, for the resolution concerning the Deputy-Lieutenants of the County of *Lincolne*.

The Lord of Warwick's Letter to his Brother the Earle of Holland.

Brother,

IN obedience to the Order of both Houses of Parliament, I this day repaired to *Burntwood* (where about one fourth part of the Trained Bands of *Essex*, were appointed to meet) for putting of the Ordinance for the *Militia* of this County in execution. I saw five Companies drawne out, being of the ordinary Trained Bands, (and all that were designed to this place) whose numbers I found full, and their Armes compleat. For though about threescore Armes had beene formerly taken out of each Company for the late Service about *Scotland*, yet a full supply was made by Voluntiers, and one of the said five Companies (being under the conduct of Sir *William Masham's* son) was double to the usuall List. A sixth Company was drawne out, which consisted of neere five hundred able men, who came as Voluntiers under the command of Sir *Thomas Barington's* younger son. I caused the Declaration of both Houses made for their indemnity, to be read at the head of each Company. And required the Captains, Officers, and Souldiers to be obedient to such directions

as should be conveyed to them from mee, or my Deputy Lieutenants, according to the said ordinance for the service of his Majesty and the Parliament in defence of the Kingdome. To which they did unanimously manifest a resolution, and respect, and a cheerfull readinesse, therein to spend their lives and fortunes. Hereof I thought fit to give your Lordship this briefe accompt, praying you to communicate the same to their Lordships, I having desired my deputy Lieutenants to doe the same to the House of Commons. I have this day received a Petition from the Captaines and Lieutenants of the severall companies here assembled, in the name of all the persons belonging to the said trained bands, and with their full consent expressed upon the reading of it, by their generall acclamations, and applause, in their severall Companies, whereof I send your Lordship a copy here inclosed: And so desiring from God a blessing upon all your counsells, I rest,

Burntwood the 7. of June, 1642.

Your Lordships affectionate Brother, Warwick.

To the right Honourable Robert Earle of Warwicke, Lord Lieutenant of the County of Essex: and to the Right worshipfull and worthy Gentlemen, the Deputy Lieutenants of the same County, confided in by the most Honourable, the High Court of Parliament.

WE the Captaines and Lieutenants with the full consent of the Trained-Bands and Voluntiers of the said County now assembled, having before the accessse of this present Parliament seen our Religion, our Lawes, our liberties brought to the brinke of ruine and subversion by the results of most desperate and wicked Counsels, could not but with exceeding joy behold the assembling and continuance of so great and faithfull a Councell (the representative body of this Kingdome) and with most certaine confidence commit thereto all that was deere unto us.

And having also scene the late hellish designs and actings of a Malignant party of this Kingdome, and the bloody rebellion in *Ireland*, all working to regard the progresse, or subvert the being of this worthy Parliament, and therein to bereave us of all our hopes of Reformation, or future peace or happinesse to this Church or Kingdome, We cannot but ascribe all glory and praise unto the Lord of Lords, and expresse most hearty thankfulness unto his blessed Instruments, that great Assembly, for their undanted Resolutions, unparalleled endeavours, and happy proceedings for the common good. And herein (as not the least meanes of our safety) for the most necessary and seasonable Ordinance of theirs touching the ordering of the Militia, whereby we are put under the command and guidance of so Noble a Lord, and such worthy Gentlemen, whereunto

whereunto We humbly desire this present day and meeting may be an Evidence and pledge of our free and willing obedience.

And having entrusted our Religion, our Lawes, and all into the hands of that great and most faithfull Councell the Parliament, whose care and fidelity we have so abundantly found, we even bleed to see the heart and actions of our Royall King (contrary to his owne Royall expressions) declining from the Councils of His Parliament, and carried after other Counsels, whom, as the Lawes and Constitutions of the Land have not knowne, nor reposed upon: so we (for our owne parts) neither will nor dare intrust with our Religion or Lawes. And whom we verily beleewe, could they prevaile against that highest Court (under God our chiefeest Bulwarke and defence) would soone deprive us both of Religion and Law, and (notwithstanding all their specious pretences) reduce us to a condition no lesse miserable then slavish.

From the deepe apprehensions of all which we doe freely and heartily promise and tender our persons and estates to assist and defend (to the uttermost) the high Court of Parliament now assembled, the members, power, and privileges thereof, and therein His Majesties Person and Authority, and the Kingdomes peace, (according to our late Protestation) against all contrary counsels, power, and force of Armes whatsoever, which shall be reard up, or attempted against them.

And this our humble Acknowledgement and resolution (which we doubt not will be accorded unto by all good Subjects) we humbly desire your Honour and Worships to tender on our behalfe unto that most Honourable Assembly of Parliament.

For whose happy progresse and successe we shal't daily pray.

Kiley, Henry Farr, Iohn Ballet, Iohn Fleming, W. Marsham, Robert Bavington, Captaines. Tho. Harper, Jo. Woodcocke, Rich. Lawrence, Geo. Colwell, Tho. Clark, William Burls, Lieutenants.

The Approbation of both Houses concerning the same.

THe Lords and Commons in Parliament assembled, being advertised by the Lord Lieutenant, and Deputie Lieutenants of the County of *Essex*, of their ready, full, and forward meeting of the Trayned Bands of that County; and of a cheerfull acceffe, of a very considerable number of Voluntiers, at heir first appearing; Have thought fit, to expresse unto them, the good sence they hold of their proceedings, so much conducing to the Generall safety of this Kingdome; and having likewise received from them a Declaration full of affections, and good inclinations, to maintaine our Religion, Lawes, Liberties, and Priviledges of Parliament; Which they observe to bee invaded by pernicious Counsell, as indeed they have beene of late, in a more dangerous,

rous, and high manner then any age can parallell : And having very presently observed, in a right understanding, That the Kingdome, and the Kings authority and Person, can be no wayes maintained, but by the upholding the power and priviledges of Parliament : as by the late Protestation they acknowledge themselves bound unto, against all contrary Councells, Power, and force of Armes whatsoever. This just and faithfull resolution of theirs, to the publique good, The Lords and Commons doe not onely approve, but commend, assuring them, that as their endeavours have been for the peace and happineffe of the King and Kingdome ; so they will persist in discharge of the great and publique trust, which lies upon them ; to goe through all difficulties which may oppose the publique peace and welfare of this Kingdome, And will upon all occasions, bee ready to expresse particularly, to those persons, that respect which is due to persons from whom they have received such assurance of their affections and fidelities.

FINIS.

Die Iovis, 9. Iunii, 1642.

Ordered by the Lord in Parliament, That these severall Letters, and Resolutions shall be forthwith Printed and Published.

Joh. Brown, Cler. Parliament.

Die Lune, 6. Iunii, 1642.

Resolved upon the Question.

1 **T**O provide for every County such a competent number of the publicke Orders and Declarations of this House, well Printed, with a faire Letter, and good paper, as that every Constable, Headborough, or Tithingman may have one of each sort.

2 To scale up in one Bundle, so many of each sort, as there bee Constables, Headboroughs, or Tithingmen in every Hundred, and that a proportionable number of them for every County shall be delivered unto the Sheriff, or under-Sheriff of that County, or to their Deputy, who is to give a Receit under his hand, of so many Bundles of each sort, as shall be delivered unto him, who is thereupon forthwith to send one of the said Bundles of each sort, unto every high Constable in his County, who is to give the like Receit for such Bundle so received by him.

3 That all the said severall Receipts so subscribed by the said Sheriffs, under-Sheriffs, Deputies, and high Constables respectively, shall be sent up with all convenient speed, and delivered unto the Committee appointed for this

this businesse, who are to receive them, and to send for all such Persons as shall be negligent in this service.

That every high Constable, upon Receipt of every of the said Bundles shall with all convenient speed send unto every petty Constable, Headborough, or Tythingman in his division, one of each sort of the said Orders and Declarations, who is required within seven dayes next after the Receipt thereof, to cause the same to be publickly read in the presence of the rest of the Inhabitants of that Town or Parish, wherein he dwelleth.

That if the Sheriff, under-Sheriff, or deputy-Sheriff of any County be in or about London, then all the severall Bundles to be delivered to him by the Sergeants man; if not, then the Knights, Citizens, and Burgeses that serve for each County, are to send them down to the Sheriffs, under-Sheriffs, or high Constables to be disposed of as aforesaid.

H. Elsing, Cler. Parl. D. Com.

Propositions and orders by the Lords and Commons in Parliament.

For bringing in of Money or Place, to maintain the Horse, Horse-men and Armes for the preservation of the Publike Peace, and for the Defence of the King and both Houses of Parliament.

VHereas it appeares that the King (seduced by wicked Counsell) intends to make warre against his Parliament, and in pursuance thereof, under pretence of a guard for his Person, hath actually begun to levie forces both of Horse and Foote, and sent out summons throughout the County of York for the calling together of greater numbers, and some ill affected persons have bin employed in other parts to raise Troopes under the colour of his Majesties service, making large offers of reward and preferment to such as will come in; And that his Majesty doth with a high and forcible hand, protect and keepe away Delinquents, not permitting them to make their appearance to answer such affronts and injuries as have bin by them offered unto the Parliament, and those Messengers which have been sent from the Houses for them, have been abused, beaten and imprisoned, so as the Orders of Parliament which is the highest Court of Justice in this Realme are not obeyed, and the authority of it is altogether scorned and vilified, and such Persons as stand well affected to it, and declare themselves sensible of these publike calamities, and of the violations of the Priviledges of Parliament and common liberty of the Subject, are baffled and injured by severall sorts of malignant men

who are about the King, some whereof under the name of Cavaliers, which having respect to the Lawes of the Land, or any feare either of God or man are ready to commit all manner of outrage and violence, which must tend to the dissolution of this Government, the destroying of Our Religion, Lawes, liberty and propriety; all which will be exposed to the malice and violence of such desperate persons as must be employed in so horrid and unnatural an act as the overthrowing of a Parliament by force, which is the support and preservation of them; All which being duly considered by the Lords and Commons, and how great an obligation lyes upon them, in Conscience and Duty, according to the high trust reposed in them, to use all possible meanes in such cases for the timely prevention of so great and irreparable evils, they have thought fit to publish their sence and apprehension of this imminent danger, thereby to excite all well affected persons to give them their best assistance, according to their soleinne Vow and Protestation, to the preparations necessary for the opposing and suppressing of the trayterous attempts of these wicked and Malignant Counsellors, who seeke to expose the King in so dangerous, and destructive an enterprise, and the whole Kingdome in a civill War, and destroy the Priviledges and being of Parliaments: They recourse to the good affections of those that tender their Religion and liberties, and the enjoyment of the blessed fruits of this present Parliament, which were almost ready to be reaped, and are now as ready to be ruined by these wicked hands, being the only remedy left them under God, and without which they are no longer able to preserve themselves or those by whom they are intrusted.

I. They the said Lords and Commons doe declare, that whosoever shall bring in any proportion of ready Mony or Plate, or shall under-write to furnish and maintain any number of Horse, Horse-men and Arms for the preservation of the publike peace, and for the defence of the King and both Houses of Parliament from force and violence, and to uphold the Power and Priviledges of Parliament according to his Protestation, it shall be held a good and acceptable Service to the Common-wealth and a Testimony of his good Affection to the Protestant Religion, the Lawes, Liberties and peace of this Kingdome, and to the Parliament and Priviledges thereof.

And because a considerable ayde cannot be raised by few Hands, and the condition of all mens Estates and occasions is not alwayes proportionable to their Affection, The Lords and Commons doe declare, that no mans Affection shall be measured according to the proportion of his estate, so that he may give his good will to this Service in any proportion whatsoever.

2. And it is further declared by the Lords and Commons in Parliament that whosoever shall bring in any Mony or Plate, or shall furnish and

tainie any Horſe, Horſe-men and Armes for the purpoſes aforeſaid, ſhall have their Mony repayed with the Interſt according to 8 pound *per cent.* and the full value of their Plate with conſideration for the faſhion, not exceeding one ſhillings by the ounce, and ſhall have full Recompence for all their charge, in finding, furniſhing and maintaineing of Horſe, Horſe-men and Arms, and for this both Houſes of Parliament doe engage the publike faith.

3 And it is ordained that Sir *John Wallaſton* Knight and Alderman, *Alderman Tomes*, *Alderman Warner* and *Alderman Andrews* ſhall be Treasurers to receive all ſuch Mony and Plate as ſhall be brought in for the purpoſes aforeſaid, and that the acquitances of them or any two of them for the receipt of the ſame ſhall be a ſufficient ground for the party ſo lending Money or Plate to demand the ſame againe with the Interſt and likewise conſideration for the faſhion of the Plate.

4 It is ordered that *John Wallaſton* ſhall be Commiſſaries to value the Horſe and Armes, that ſhall be furniſhed for this Service, and that a ſignification under the hands of them or any two of them, of ſuch values of the Horſe and Arms, and of the time when they were firſt brought in, ſhall be a Warrant to demand ſatisfaction according to the ſaid values, and they ſhall keepe an account of the time from the firſt inrolment of any ſuch Horſe and Horſemen, that ſuch as find and maintaine them may be repayed according to the rate of 3. *sh.* 6. *d.* *per diem*, for ſo long time as they have maintained them in this Service, and the Commiſſaries are to attend at Guild-Hall for the receiving and enrolling of ſuch numbers of Horſe as ſhall be brought in.

5 It is ordered that whoſoever ſhall bring in Mony or Plate, or ſhall provide, and maintaine, Horſe, Horſe-men and Armes for this Service ſhall doe according to their duty therein. And the Lords and Commons doe engage the Power and Authority of Parliament, to ſave them harmeleſſe from all prejudice and inconvenience that may befall them by occaſion thereof.

6 It is ordered that the Members of either Houſe who are preſent ſhall be deſired to declare in their Houſes reſpectively what Mony or Plate they will bring in, or what Horſe, Horſe-men and Armes they will find and maintaine. It is deſired that all ſuch as have their reſidence in or about *London* or within 80. miles will bring in their Mony, Plate, or Horſe, within a fortnight after notice, and they that dwell further off within three weeks.

And becauſe every perſon may not be provided with preſent Money or with Horſe, or not have his Plate with him which he means to bring in, and yet resolves to contribute his part within the time limited, and that it is neceſſary it ſhould be preſently known what the provision will be for the effecting of this great and important ſervice. It is ordered that the Committees of either Houſe appointed for that purpoſe reſpectively, ſhall receive the ſubſcriptions

of such Members of each House as have not declared themselves in the House, or are absent upon the publique service, or for their private occasions. 2 That the Committee of London, entrusted with the *Militia*, shall receive the Subscriptions in London and *Middlesex*. 3 That some persons nominated by the Knights and Burgesses of each County, and approved by both Houses shall be appointed to receive the Subscriptions in the severall Counties.

And lastly it is declared, that whatsoever is brought in, shall not at all be employed upon any other occasion then to the purposes aforesaid, which are to maintain the Protestant Religion, the Kings Authority, and his person in his Royall Dignity, the free course of Justice, the Laws of the Land, the peace of the Kingdome and the Priviledges of Parliament, against any force which shall oppose them: And this by the direction of both Houses of Parliament.

FINIS.

Die Veneris, 10. Junii, 1642.

Ordred by the Lords and Commons in Parliament, that these Propositions shall be forthwith printed and published.

John Brown Cleric. P. as.

Die Sabbati, 11. Junii, 1642.

IT is this day ordered by the Lords in Parliament assembled, that a strict Search and Examination shall be made by the Justices of Peace, Mayors, Bayliffs, Constables, and other His Majesties Officers, inhabiting, or not inhabiting to all the Northern Roads, for the stopping and staying of all Armes, Ammunition, Powder, Light-Horses, or Horses for Service in the Wars, and great Saddles, that are, or shall be carried towards the North parts of England, but by the privy and direction of one, or both of the Houses of Parliament. And that the said Officers shall Ray them accordingly, and speedily give Information thereof unto one of the Houses of Parliament.

Die Marturis, 15. Junii, 1642.

Ordred by the Lords in Parliament, that this Order shall be printed and published.

John Brown, Cleric. P. as.

FINIS.

Amsterdam June 11, 1643.

Two Letters sent from Amsterdam, and read in both
Houses of Parliament, the 11 of this
present June 1643.

with a List containing the particular number of the said Ammunition.

I Cannot learne that any Jewels more are pawned then I have formerly expressed, neither of the sale of any Jewels save divers Collers of Pearls, part of the proceed is remitted for London, a large Sum, having been offered mee by the party above-mentioned, and I take the rest will be employed in warlike Munition, expressed in the enclosed note which I have drawn out of the Original Commission, which hand was well known to mee, all must be speedily furnished, and if for the presumed Service, it's not like the distempers here will be appeased without shedding blood, which God vert. I doe purpose to lay wait in what Ships the said Munition will be laden, which shall be advised you do think fit to give any notice hereof to the Parliament.

I pray you see my name be concealed (*Pour cause de plus de sion*) although I do with zeal and ardour affect the good cause, yet would I not willingly be seen in this manner in writing hereof I understand by any witnesses that all the Jewels are brought here again to be pawned, and amongst them the great Coller of Rubies fetcht from *Hamburgh*. Also the three brethren, foure or five very great Diamonds, with divers more, but no money to be had thereupon in this place, as the party employed therein doth tell me; so it's like, some will be staked untill the Munition for War shall be satisfied, whereof I have heard an inkling. I did see *M. Webster* measuring or looking upon a Mortar to shoot fise-balls of the widensse or breadth of the inclosed sheet, weighing 4800 pound. I hope England will have no need of such *Tormenta bellica*, which I believe have not been used there many ages. *Master A. W.* doth hasten exceedingly with all these things, The Pistols I understand are provided.

From Amsterdam, June 12 New style, June 2 Old style
To *John Beauchamp* Merchant of London.

For the Cloth Trade at present I would advise you to write to him wholly not to buy in a piece at present although he pretends losing his workmen or the like: for losing his workmen I doubt at this time money is not so rare in that Country, and men so forward to buy, that I think little fear, but that if he turns off or leave buying his workmen will be glad to come again at more

settled times; And it may be, sell better cheap. Therefore above all excuses, as the state stands, write him absolutely not to take off any untill further advise, for if things go badly there, and come to pillaging or destruction, you should have all the cloth he had in the house, to be reckoned to be your cloth.

I feare a storm to arise in the North, and I see it daily grow blacker and darker, for store of moneys is made over to be sent thither, witness the rising of the Exchange here so suddenly; And at present here is order to buy store of Pistols for Horsemen and Powder, and neer upon twenty brasse Peeces to be sent for the North parts, but the Order is not from the Parliament.

A List of the Ammunition as followeth.

Four Peeces of battery of eighteen pound bullet. One Peece carrying a pound bullet. One Peece carrying eight pound bullet. Two Culverines carrying eight pound bullet. Six Field-peeces carrying six pound bullet. Four Mortar Peeces. For Granadoes sixteen. An 100 barrels of powder. Two thousand pair of Pistols ready provided. A thousand Carbines. Three thousand Saddles. Bullets. Ladles. Spunges. Carriage. Harness for Draught-horses. The Mortar-peeces are a foot and a halfe in Diameter at the mouth, metall and Shooting Granadoes 11 or 12 inches.

Die Luna 13. Junii, 1642.

Ordered by the Lords in Parliament, That these Letters and List of Ammunition be forthwith printed and published.

John Brown Cler. Parl.

The Copy of the Kings Letter sent with the Commission of Array to Leicestershire.

CHARLES R.

Right trusty and right well beloved Cousins, and right trusty and well loved, Wee greet you well: Whereas it hath beene declared by the Votes of both Houses of Parliament the fifteenth of March last, that the Kingdome hath of late, and still is, in so evident and imminent danger, both from enemies abroad, and a Popish discontented party at home; That there is an urgent and inevitable necessity of putting our Subjects in a posture of defence for the safeguard both of our Person and People: and that hitherto divers Inhabitants of divers Counties have addressed their Petitions to that purpose; And whereas a small number of both Houses (after it had beene

acted by the Lords in a full House, and without our Royall assent or the opinion of the Judges concerning the legal ty hereof, have attempted by way of Ordinance to put in execution the power of the *Militia* of the Kingdome, and to dispossesse many of our ancient Nobility of the command and trust reposed in them by Us, and have nominated divers others, who have no interest in, nor live neere to some of the Counties to which they are nominated for the Lieutenancy, whereby they cannot be properly serviceable to the Counties wherewith they are intrusted, nor Our People receive that contentment and security which We desire they sh^{ould}: To subvert the execution of which power by the way of Ordinance, without it were reduced into a Law by Act of Parliament, established by Our Royall Assent, were to introduce and expose Our Subjects to a meer Arbitrary Government, which by Gods grace Wee shall never permit.

We therefore considering that by the Laws of the Realm it belongeth solely to Us, to Order and Govern the *Militia* of the Kingdome, have therupon by Our Proclamation of the 27 of May last, prohibited all manner of persons whatsoever upon their Allegiance, to Muster, Levy, or Summon, upon any Warrant, Order, or Ordinance from one or both Houses of Parliament, whereunto We have nor or shall not give Our expresse consent, any of the Train Bands, or other Officers, without expresse Warrant under Our hands, or Warrant from Our Sheriff of the County, grounded upon a particular Writ to that purpose under Our great Seal. And considering that in ancient time the *Militia* of the Kingdome was ever disposed of by Commissions of Array, and that by a particular Statute upon Record in the Tower, made in the fifth yeere of Henry the Fourth, by full consent of the Prelats, Earls Barons, and Commons, and at their suit, and by the advice and opinion of the Judges then had, such Commissions were mitigated in respect of some clausess perilous to the Commissioners; and approved of for the time to come. And that by the subsequent Records it appeareth, that all Our Royall Predecessors have continually exercised that power by such Commissions, till of late time they have been discontinued by the Grantes of particular Commissions of Lieutenancy; little differing in substance from the said Commissions of Array, against which it seems the Houses have taken some exception. And though we are no way satisfied with the illegality of them, Our Councell being never heard in the defence thereof, yet being willing to avoid all exceptions at present, We have thought fit to rectify it, to that ancient legall way of disposing the power of the *Militia* by such Commissions of Array, for defence of Vs. Our Kingdome, and Our Countrey: Authorizing you or any three or more of you, to Array and Train Our People, and to appoynt and assesse such persons as have estates, and are not bound to beare Armes, to find Armes for other men, in a reasonable and mode-

rate proportion ; and to conduct them to Arraid, as well to the Coasts as other places for the opposition and destruction of Our Enemies in case of danger, to your discretions, on any three or more of you shall seem meet. Whereas *Henry Earle of Huntington*, and in your absence *William Earle of Devon*, *Henry Hastings Esquire*, to be one ; And being both confident in a great measure of the Loyall affections of Our people, and very tender to bring any unnecessary burthen or charge on them, by augmenting the number of the Trained Bands, Wee do for the present only require that you forthwith cause to be mustered and Trained all the ancient Trained Bands and freehold Bands of the County, carefully seeing that they be supplied with able and sufficient persons, and compleatly armed ; unlessse you find that there be just cause, and that it shall be with the good liking of the Inhabitants, for their owne better security to make any encrease of their numbers ; And over such bands to appoint and set such Colonels, Captaines, and Officers, as you shall think most fit for the discharge of that service, being such persons as have considerable interest in the County, and not strangers. And in case of any opposition, you are to use the power of the County to suppress it, and to commit all such persons as shall be found rebellious herein, into the custody of Our Sheriff ; whose care and assistance Wee especially require. And that he shall from time to time issue such warrants for the assembling of Our people, at such times and places as by you shall be agreed on, according to the trust reposed in him by Our said Commission. And Wee have authorized you our Commissioners, or any three of you, after such Array made, from time to time, to Train and take Musters of Our said Bands ; and to provide Beacons, and other necessities for the better exercising of Our people, and discovery of sudden insurrections and commotions : Of all which your proceedings herein, Wee expect a speedy and plenary accompt, according to the trust reposed in you, and authority given you by Our Commission on that behalf.

Given at Our Court at York, the twelfth day of June, in the 18 year of Our Reigne. 1642.

Cardus Dei gratia Anglia, Scotia, Francia, & Hibernia, Rex. fidei Defensor, &c. Charissimis consanguineis nostris Hen. Com. Huntington & *William Com. Devon*, nec non dilectis & fidelibus nostris Hen. Hastings Armigero, filio di. Com. Huntington, Hen. Berkley, Georgio V. liers, Thome Bliet, Baronet, Hen. Skipwith, Joanni Skiffington & Richardo Hafford, Milibus & Baronetis, *William. Ditty, Richardo Roberts, Ioan. Bala, Thome. Erasmus de La Fontaine, & William. Jones*, Mililibus, Hen. Hastings de Hambray, Georgio Ashby & Joanni Hart, Armigeris, ac vic. nostro Com. nostr. *Leah*

loca quos videritis magis competentes & expedientes & pro populo nostro minus damnosos omnes homines in patria commorantes per quos arraiatio & municio melius fieri & compleri poterunt venire & vocari fac. & eos arraiati armari & muniri, & eos sic arraiatos & munitos in arraiatione huiusmodi teneri faciatis, & insuper signa vocat. Beakins poni faciatis in locis consuetis per quos gentes patrie de adventu inimicorum nostrorum poterunt congruis temporibus prae muniri, Et eosdem homines sic arraiatos & munitos cum periculum imminuerit in defensionem Regni ac patrie prae d. de tempore in tempus tam ad Castram Mariam quam alia loca ubi magis necesse fuerit duci faciatis, vel aliquos aut plures vestrum quorum te prae fat. *Hen. Com. Huntingdon*, & in absentia te prae fat. *Wil. Com. Devon*, vel te prae fat. *Hen. Hastings*, filium praed. Com. *Huntingdon* unum esse volumus duci faciatis ut praedictum est ita quod praed. statu defensionis, arraiationis sive duccionis dictorum hominum vel per negligentiam vestram damna patrie praedictae, per inimicos nostros modo non evincat ullo modo pro posse vestro Damus autem universis & singulis Comitibus, Baronibus, militibus, Majoribus, Ballivis, Constabulariis, Ministris, & aliis fidelibus & ligeis nostris Com. praed. (tam infra libertates, quam extra) tenore praedictum firmiter in mandatis quod vobis & cuilibet vestrum, in omnibus & singulis praemissa faciend. & explend. intendentes sunt, consulentes & auxiliantes tibi prae fat. vic. quod ad certos dies & loca quos ad hoc vos vel aliqui ex vobis plures vestrum ut praedictum est ordinaveritis venire faciatis coram vobis vel huiusmodi tribus vel plur. vestrum (ut praedictum est) omnes illos in Com. praed. per quos arraiatio, assensio & ordinatio melius poterit fieri & compleri illos quos pro rebellionis sua capi & arrestari contigerit in prisona nostra vel sicut praedictum est. In cuius rei testimonium has praesentes litteras nostras fecimus Patentes, Teste, mense primo undecimo die Junii Anno regni nostri decimo octavo.

Per ipsum Regem.

Die Sabbati 18. Junii, 1642.

Resolved upon the Question by the Lords and Commons assembled in Parliament.

That the Commission of Array for Leicesters is against Law, and against the liberty and property of the Subject.

Die Luna 20. Junii.

Resolved upon the Question.

That all those that are Arrayed, in the putting of the Commission of Array in execution, shall be esteemed as Disturbers of the Peace of the Kingdom, and Enemies of the Liberty of the Subject.

Ordered that this Commission of Array, and the foresaid Votes should be forthwith printed and published through the Kingdom.

Jo. Browne, Cleric. Parliamentarius.

His Majesties Declaration, made the 13 of June 1643, to the Lords attending His Majestie at *Yorke*; and to others of His Majesties Privy Councell there: Together with their promise thereupon subscribed by them.

CHARLES I.

WEe do declare, That Wee will not require, nor exact any Obedience from you, but what shall be warranted by the knowne Law of the Land; as Wee doe expect, That you shall not yeeld to any Commands, not legally grounded, or imposed by any other.

And Wee doe further declare, That We will Defend every one of you, and all such as shall refuse any such Commands, whether they proceed from Votes and Orders of both Houses or any other way, from all dangers and hazards whatsoever.

And Wee do further declare, That Wee will defend the true Protestant Religion established by the Law of the Land, the lawfull Liberties of the Subjects of *England*, and just Priviledges of all the three Estates of Parliament: and shall require no further Obedience from you, then as accordingly Wee shall performe the same.

And Wee doe Declare, That Wee will not (as is falsely pretended) engage you, or any of you, in any War against the Parliament except it be for Our necessary defence and safety against such as doe insolently invade, or attempt against Us, or such as shall adhere to Us.

Yorke 13. Junii 1643.

The Promise of the said Lords and others.

WE do engage our selves, Not to obey any Orders or Commands whatsoever, not warranted by the knowne Laws of the Land.

Wee doe engage our selves to defend Your Majesties Person, Crowne and Dignity, together with Your Majesties just and Legall Prerogative against all persons and power whatsoever.

Wee will defend the true Protestant Religion, established by the Law of the Land, The lawfull Liberties of the Subject of *England*, and just Priviledges of Your Majesty, and both Your Houses of Parliament.

And lastly, we engage our selves, not to obey any Rule, Order, or Ordinance whatsoever concerning any *Militia*, that hath not the Royall Assent.

Torke 13. June 1642.

Subscribed by

Lord Keeper, Lord Duke of Richmond, Lord Marquess of Hertford, Earle of Lindsey, E. of Cumberland, E. of Huntingdon, E. of Bath, E. of Southampton, E. of Dorset, E. of Salisbury, E. of Northampton, E. of Devonshire, E. of Cambridge, E. of Bristol, E. of Westmerland, E. of Northhampton, E. of Monmouth, E. of Rivers, E. of Newcastle, E. of Dover, E. of Carnarvan, E. of Newport, Lord Mowbray, and Marrauers; L. Willoughby, of Eresby, L. Rich, L. (J. Howard of Charlton, L. Newark, L. Paget, L. Chandos, L. Falconbridge, L. Paulet, L. Lovelace, L. Sayde, L. Coventry, L. Mohun, L. Dunsmore, L. Seymour, L. Grey of Ribthorpe, L. Capell, L. Falkland, M. Comptroller, M. Secret. Nicholas, M. Chamberlain of the Exchequer, Lord Chief Justice Banks.

CHARLES R.

**To Our trusty and welbeloved, the Lord Major,
Aldermen, and Sheriffs of Our Citie of
LONDON.**

TRusty and Welbeloved, VVe greet you well. Whereas VVe have received severall Informations of great Sums of Money endeavourd to be borrowed of Our City of London, by some direction proceeding from both Our Houses of Parliament, and likewise that great labour is used to perswade Our Subjects to raise Horse, and to furnish Money, upon pretence of providing a Guard for Our Parliament; These are to let you know, that (notwithstanding any scandalous Vores which have presu ned to Declare Our intention of leaving VVar against Our Parliament, and to lay other aspersions on Us, so fully disavowed by Us in the presence of Almighty God, by Our severall Answers and Declarations) all Our desires and purposes are for the publique Peace, and that VVe have not the least thought of raising or using Force, except VVe be compelled to it for the defence of Our Person, and in Protection of the Law. And therefore VVe expect, that you suffer not your selves to be misled by such vaine and improbable suggestions, and doe declare, That if you shall lend any Sums of Money towards the Relief of *Ireland* (to which VVe have not contributed all the assistance could be desired of Us, which way soever the Money given and raised to that purpose is disposed) or towards the paymēt of Our *Scott* Subjects

VVe shall take it as an acceptable Service at your hands; but if upon generall
 Pretextes contrived by a few factious persons against the peace of the Kingdom,
 you shall give or lend any money, or provide or raise any horses or armes, to-
 wards the raising such a Guard, VVe shall Mooke upon it as the raising Force
 against Us, and to be done in malice and contempt of Us and Our Authority.
 And VVe doe therefore straitly charge and command you to publish this Our
 Letter to the severall Masters and VVardens of the severall Companies, that
 they may be assured, that such money as they shall lend out of their good affe-
 ction to the Kingdome, may be onely employed for *Ireland or Scotland*, and not
 toward such Guards, which (in truth) are intended by the Contrivers of this
 Designe (though VVe believe many honest men seduced by them doe not yet see
 their end) to be employed against Us: And if you and they shal herein fail pun-
 ctually and severally to observe Our Commands, VVe shall not onely proceed
 against the severall Companies for deceiving the trust reposed in them; but a-
 gainst the particular persons, as Contemnners and Opposers of Our Authority,
 and of the Law of the Land, in the most exemplary way, the knowne Law of
 the Land shall prescribe to Us; And shall be compelled to question the Charter
 of your City, which VVe are willing yet to believe (notwithstanding the bar-
 barous and insolent demeanour of the meaner and baser sort) in a good degree
 to continue loyall to Us. And of your obedience to these Our Commands We
 doe expect and require a full Account, and of the names of such persons who
 shall oppose the same. Hereof fail you not as you will answer the contrary at
 your perill.

*Given at Our Court at Yorke the 14 day of June, in the 18 year of Our
 Reign: 1642.*

**His Majesties Declaration to all His loving Subjects, occa-
 sioned by a false and scandalous Imputation laid upon
 His Majesty, of an intention of raising or levying
 War against His Parliament, and of having
 raised Force to that end.**

Published at His Court at Yorke, the 16 day of June, 1643.

Though Wee have these last seven moneths met with so many severall en-
 counteres of Strange and unusual Declarations under the names of both
 Our Houses of Parliament, that We should not be amazed at any new
 prodigy of that kinde; And though their last of the 26 of May gave Us a full

warning that the Contrivers of it, having spent all their stock of bitter and reproachfull language upon Us; Wee were to expect they should now break out into some bold & disloyall Actions against Us; And having by that Declaration (as far as in them lies) devided Vs of that prebeminence and authority, which God, the Law, the Custome, and Consent of this Nation had placed in Vs, and assumed it to themselves, that they should likewise with expedition put forth the fruits of that Supreme Power, for the violating and suppressing that power they despised (an effect of which Resolution their wild Declaration against Our Proclamation concerning the pretended Ordinance for the *Militia*, and the punishing of the Proclaimers, appears to be) yet Wee must confesse, in their last attempt (Wee speak of the last We know, they may probably since, or at this present, have out-done that too) they have out-done what Wee conceive was their present intentidn; And whosoever heares of Propositions, and Orders for bringing in of Money, or Plate, to maintain Horse, Horfemen, and Arms, for the preservation of the publike Peace, or for the defence of the King, and both Houses of Parliament (such is their Declaration, or what else they please to call it, of the 10 of *June*.) will surely believe the peace of this Kingdom to be extremely shaken, and (at least) the King himselfe to be consulted with, and privy to these Propositions: But we hope that when Our good Subjects shall finde, that this goodly pretence of *The Defence of the King*, is but a specious bait to seduce weak and inconsiderate men, into the highest Acts of disobedience, and disloyalty against Vs, and of violence and destruction upon the Laws and Constitutions of the Kingdome, they will no longer be captivated by an implicit Reverence to the name of *both Houses of Parliament*, but will carefully examine, and consider what number of persons are present, and what persons are prevalent in those consultations, and how the debates are probably managed, from whence such horrid and monstrous Conclusions doe Result, and will (at least) weigh the Reputation, Wisdom, and Affection of those who are notoriously knowen, out of the very horzour of their proceedings, to have withdrawn themselves, or by their skill and violence to be driven from them and their Counsels.

Whilst their Feares and Jealousies did arise, or were infused into the People from discourses of the Rebels in *Ireland*, of Skippers at *Rotterdam*, of Forces from *Denmarke*, *France*, or *Spain*, (how improbable and ridiculous soever that bundle of Information appeared to all wise and knowing men) it is no wonder, if the easinesse to deceive, and the willingness to be deceived did prevaile over many of Our weak Subjects, to believe that the dangers, which they did foresee, might proceed from Causes which they did not understand: But for them to declare to all the World, that Wee intend to make War against Our Parliament, (whilest VVe sit still complaining to God Almighty of the injury offered

to Us, and to the very being of Parliaments) and that We have already begun actually to leavy Forces both of Horse & Foot (whilst We have onely in a legal way provided a smaller Guard for the security of Our owne Person, so soon a Rebellion at *Hull*, then they have had, without lawfull Authority, above these eight moneths, upon imaginary and impossible dangers) to impose upon Our Peoples sense, as well as their understanding, by telling them, Wee are doing that which they see Wee are not doing, and intending that they all know (as much as intentions can be known) We are not intending, is a boldnesse agreeable to no power, but the Omnipotency of those Votes, whose absolute Supremacy hath almost brought confusion upon King and People, and against which, no knowledge in matter of Fact, or Consent and Authority in matter of Law, they will endure shall be opposed.

Wee have upon all occasions with all possible expressions professed Our fast and unshaken Resolutions for Peace; And Wee do again (in the presence of Almighty God Our Maker and Redeemer) assure the World, that VVe have no more thought of making a War against Our Parliament, then against Our own Children ; that VVe will maintain and observe the Acts assented to by Us this Parliament without Violation, of which, that for the frequent assembling of Parliaments is one, and that VVe have not, or shall not have any, thought of using any force, unless We shall be driven to it, for the security of Our Person, and for the defence of the Religion, Laws and Liberty of the Kingdom, and the Just Rights and Priviledges of Parliament : And therefore VVec hope the Malignant Party, who have so much despised Our Person, and usurped Our Office, shall not by their specious fraudulent Insinuations prevail with Our good Subjects, to give credit to their wicked Assertions, and so to contribute their power and assistance for the Ruine and Destruction of Vs and themselves.

For Our Guard about Our Person (which not so much their example as their Provocation enforced Us to take) it is known it consists of the prime Gentry (in Fortune and Reputation) of this County, and of one Regiment of Our Trained Bands, who have been so far from offering any affronts, Injuries, or Disturbance to any of Our good Subjects, that their principall End is to prevent such, and so may be security, can be no grievance to Our People.

That some ill affected persons, or any persons have bene employed in other parts to raise Troops under colour of Our service, or have made large (or any) Offers of Reward and Preferment to such, as will come in, is (for ought wee know, and as Wee believe) an untruth devised by the Contrivers of this false Rumour ; We disavow it, and are confident there will be no need of such Art or Industry to induce Our loving Subjects, when they shall see Us oppressed, and their Liberties and Laws confounded, (and till then Wee shall not entreat them) to come in to Us, and to assist Us.

For the Delinquents (whom we are said with a high and forcible hand to protect) let them be blamed, and their Delinquency, and if We give not satisfaction to Justice, when We shall have received satisfaction concerning Sir *John Harrison* by his Legall Tryall, then let Us be blamed. But if the designe be as it is well knowne to be, after we have been driven by force from Our City of *London*, and kept by force from Our Towne of *Hull*, to protect all those who are Delinquents against Us, and to make all those Delinquents, who attend on the obedience of Our Lawfull Commands; We have great Reason to be satisfied in the truth and Justice of such Accusation, lest to be our servant, and to be a Delinquency grow to be termes so Convertible, that in a short time We be left as naked in Attendance, as they would have Us in power, and so compel Us to be waited on onely by such whom they shall appoint and allow, and in whose presence We should be more miserably alone, then in desertion it selfe. And if the seditious Conventers and so nexeters of this scandall upon Us, shall have (as they have had) the power to mislead the major part present of either or both Houses, to make such Orders, and send such Messages and Messengers as they have lately done for the apprehension of the great Earles and Barons of *England*, as if they were Rogues or Felons. And whereby Persons of Honour and Quality are made Delinquents, meerely for attending upon Us, and upon Our summons, whilst other men are forbid to come neere Us (though obliged by the Duty of their places and Oathes) upon Our Lawfull Commands: It is no wonder if such Messengers are not very well entertained, and such Orders not obeyed; neither can there be a furer, and a cunninger way found out to render the Authority of both Houses scorned and trifled, then to assume to themselves (truely upon the Authority of the name of Parliament) a Power monstrous to all Understandings, and to doe Actions, and to make Orders evidently and demonstrably contrary to all knowne Law and Reason, as to take up Armes against Us, under colour of defending Us, to cause money to be brought in to them, and to forbid Our owne money to be paid to Us, for Our use, under colour that VVe will imploy it ill; to beat Us, and have Us for Our own good, and by Our Power and Authority, which must in short time make the greatest Court and greatest Person, cheap and of no estimation.

Who these sensible men are of the Publique Calamities, of the Violations of the Priviledges of Parliament, and the common liberty of the subject, who have been battered and injured by malignant men and Cavaliers about Us, we can not imagine; and if those Cavaliers are so much without the feare of God and man, and so ready to commit all manner of outrage and violence as is pretended, Our Government ought to bee the more effected which hath kept them from doing so; in so much as VVe beleve no person hath cause to complaine of any injury, or of any dammage in the least degree, by any Man above

or who hath offered his Service to us. All which being duly considered, if the Contrivers of these Propositions and Orders had been truly sensible of the Obligation, which lies upon them in honor, Conscience, and Duty, according to the high trust reposed in them by Us, and Our People, they would not have published such a sense, and apprehension of imminent danger, when themselves in their Consciences know, that the greatest and (indeed) onely danger which threatens this Church and State, the blessed Religion and Liberty of Our People, is in their owne desperate and seditious designs, and would not endeavour upon such weak and groundlesse Reasons, to seduce Our good Subjects from their affection and loyalty to Us, to run themselves into Actions unwarrantable, and destructive to the peace and foundation of the Common-wealth.

And that all Our loving Subjects may see how causelesse and groundlesse this scandalous Rumour, and imputation, of Our raising War upon Our Parliament is, We have, with this Our Declaration, caused to be Printed the Testimony of those Lords and other Persons, of Our Councell who are, here with Us, who being upon the place, could not but discover such Our Intentions and Preparations, and cannot be suspected for their Honors and Interests, to combine in such mischievous and horrid Resolutions.

And therefore We straitly Charge and Command all our loving Subjects upon their Allegiance, and as they will answer the Contrary at their perils, that they yield no obedience or consent to the said propositions and Orders, and that they presume not (under any such Pretences, or by colour of any such Orders) to raise or levy any Horse or Men, or to bring in any Money, or Plate to such purpose: But if notwithstanding this cleare Declaration and Evidence of our Intentions, these men (whose designe it is to comell Us to raise Warre upon Our Parliament, (which all their skill and malice shall never be able to effect) shall think fit by these Alarmes to awaken Us to a more necessary care of the defence of Our Selfe and Our People, and shall themselves (under colour of defence) in so unheard-of a Manner provide (and seduce others to doe so, too) to offend Us, having given Us so lively testimony of their Affections what they are willing to doe, when they have once made themselves able; All Our good Subjects will think it necessary to look to Our Selfe. And We doe then exerce all Our well affected People according to their Oathes of Allegiance and Supremacy, and according to their solemne Vow and Protestation (whereby they are obliged to defend Our Person, Honour, and Estate) to contribute their best assistance to the preparations necessary for the opposing and suppressing of the Traiterous Attempts of such wicked and malignant Persons, who would destroy Our Person, Honour, and Estate; and engage

the whole Kingdome in a Civill Warre to satisfy their owne Lawlesse Fury and Ambition, and so robbe Our good Subjects of the blessed fruit of this present Parliament, which they already in some degree have, and might still reap (to the abundant satisfaction and Joy of the whole Kingdome) if such wicked hands were not ready to ruine all their possession, and frustrate all their hopes.

We doe therefore declare, That whosoever, of what degree or quality soever, shall then upon so urgent and visible necessity of Ours, and such an apparent distraction of the Kingdome (caused and begotten by the malice and contrivance of this malignant Party) bring in to Us, and Our use, ready Money or Plate, or shall underwrite to furnish any number of Horse, Horse-men and Armes for the preservation of the publique Peace, the defence of Our Person, and the vindication of the Priviledge and freedome of Parliament, We shall receive it as a most acceptable service, and as a testimony of his singular Affection to the Protestant Religion, the Lawes, Liberties, and Peace of the Kingdome, and shall no longer desire the continuance of that Affection, then We shall be ready to justify and maintaine those with the hazard of Our life.

And doe further declare, that whosoever shall then bring in any summes of Money or Plate to assist us in this great extremity, shall receive consideration after the Rate of 8*l.* per centum, for all such moneys as he shall furnish Us withall, and shall upon the payment of such money to such persons, whom We shall appoint to receive the same, receive security for the same by good lawfull Assurance of such Our Lands, Forests, Parkes, and Houses, as shall be sufficient for the same; and more reall security then the name of *Publicke Faith* given without Us and against Us, as if We were no part of the Publique; and beside We shall alwayes look upon it, as a service most affectionately and seasonably performed for the preservation of Us and the Kingdome: But We shall be much gladder that their Submission to those Our Commands, and their desisting from any such Attempt of raising Horse or Men may ease all Our good Subjects of that Trouble, Charge, and Vexation.

His Majesties Declaration and Profession, disavowing any Preparations or Intentions in Him, to leavy Warre against His Houses of Parliament.

THere having been many Rumours spread, and Informations given, which may have induced many to beleieve, That we intend to make Warre against Our Parliament; We professe before God, and declare to all the World, That We alwayes have, and do. abhor all such Designes, and desire

all Our Nobility and Councell, who are here upon the place, do declare, Whether they have not been Witnesses of Our frequent and earnest Declarations and Professions to this purpose, Whether they see any colour of Preparations or Councils, that might reasonably begger a belief of any such Designe; and whether they be not fully perswaded, that We have no such Intention; but that all Our endeavours (ac cording to Our many Professions) tend to the firm and constant settlement of the true Protestant Religion, the just Priviledges of Parliament, the Liberty of the Subject, the Law, Peace, and Prosperity of this Kingdome.

Given at Our Court at Yorke, this 15. of June. 1641.

The Declaration and Profession of the Lords, and others of His Majesties most Honourable Privy Councell, now present at Yorke, disavowing any Preparations or Intentions in His Majesty to levy Warre against His Parliament.

WEE whose Names are underwritten in obedience to His Majesties Desire and out of the Duty which we owe to His Majesties Honour, and to Truth, being here upon the place, and Witnesses of His Majesties frequent and earnest Declarations and professions, of His abhorring all Designes of making Warre upon His Parliament, and not seeing any colour of Preparations or Councils that might reasonably begger the belief of any such designe, do profess before God, and testify to all the world, That we are fully perswaded, that His Majesty hath no such Intention; But that all His endeavors tend to the firm and constant settlement of the true Protestant Religion, the just Priviledges of Parliament, the Liberty of the Subject, the Law, Peace, and Prosperity of this Kingdome.

Lo. Keeper, Du. Richmond. Marq. Heriford. Lo. Gr. Chamberlain, Ea. Cumberland. Ea. Barke, Ea. Southampton, Ea. Dorset, Ea. Salisbury, Ea. Northampton, Ea. Devonshire, Ea. Cambridge, Ea. Bristol, Ea. Clare, Ea. Northumberland, Ea. Barkshire, Ea. Monmouth, Ea. Rivers, Ea. Dorset, Ea. Durham, Ea. Newport. Lo. Monbray and Maravars, Lo. Willoughby of Broke, Lo. Grey of Ruthin, Lo. Howard, Andover, Lo. Newark, Lo. Poules, Lo. Lovelace, Lo. Ribb, Lo. Sayle, Lo. Mohun, Lo. Coventry, Lo. Dunsford, Lo. Seymour, Ea. Capell, Lo. Falkland, Sir Peter Wyche Comptroller, M. Secretary Nicholas, M. Chamberlain of the Exchequer, Lo. Chief Justice Banks, and others.

FINIS.

Instructions for Deputy Lieutenants which are members of the House of Commons, and other Lieutenants of severall Countiees concerning the last Propositions.

THAT the Deputy-Lieutenants of each County which are members of the House shall have authority to tender the Propositions to the other Deputy-Lieutenants of the same County, and take their subscriptions; and all such Deputy-Lieutenants, or any two of them, as shall subscribe according to the propositions, shall have authority to assemble, and call together all such persons as they shall think fit, and to tender those propositions to call such persons as shall be present or to any persons within their Counties respectively, and receive their subscriptions, and the said Deputy-Lieutenants, or any two of them, shall have authority to name such, and so many persons as they shall think fit, to assemble and call together every person or to repair to their severall houses, or dwellings within their respective Countiees and to take their Subscriptions, which Subscriptions are by them to be returned to such persons as shall be appointed Receivers in the respective Countiees, who shall from time to time certify the summes, values, or proportions of such subscriptions to the Treasurers of London.

1. The said Deputy-Lieutenants, or the greater party of them shall have power to name receivers in their severall Countiees, and all such as shall either before or after their subscriptions pay, or bring in any Money or Plate, shall deliver the same to such person, or persons as shall be appointed by the said Deputy-Lieutenants, or the greater party of them, under their hands to be receivers, which the said persons so appointed shall cause to be delivered to the Treasurers in London, named in the said Propositions, and shall receive acquittances from the said Treasurers in the name, and to the use of the severall persons from whom they shall receive such Money or Plate, and shall deliver such Acquittances to the severall persons to whom they doe belong, and all such as make such returns of Money or Plate shall receive reasonable allowance from the Treasurers for the same, according to their directions.

2. All that said Parties shall presently send them up to London, according to the Propositions.

3. In those Countiees where no Commissioners are issued to those that are nominated for Deputy-Lieutenants, or none have beene nominated, there the same authority to be given to such Justices of the Peace, or other Gentlemen of those Countiees, which shall be named by the Knights and Burgesses of those Countiees and approved by both Houses, as is to the Deputy-Lieutenants in the first instruction.

That the same officers shall be as here to be from the time that every man bears the Propositions first made by this and every succeeding Parliament.

6. It is ordered that Captain Barrell Mosier Esq; John Smith of London, Gentlemen, and Francis Dives of London Gentlemen be Commissioners to enroll and value the Horses and Ammunition herewith according to the Propositions.

ELIAS

Quitted that this be forthwith Printed.

Ed. Elfyng. Cler. Parli. D. Cam.

To the Kings most Excellent Majesty.

The humble Petition of the Lords and Commons in Parliament assembled.

YOUR Majesties most humble and faithfull Subjects the Lords and Commons assembled in Parliament, have lately received a Petition from a great number of the Gentry, Freeholders, and other Inhabitants of the County of York, assembled there by Your Majesties Command the third of June, wherein they declare unto Us, That having taken a resolution to address themselves unto your Majesty in the humble way of a Petition for the redress of their Grievances which they now lay under, they were suddenly interrupted and distressed herein by the Earl of Lynsey, the Earl Savill, and others, and would have done all the means they could to preserve them, just as far as your Majesty, so they could not prevail with your Majesty to accept of their Petition. The Contents whereof they have sent to us, with an humble Desire, That we would take such course therein as may tend to the Preservation of their Liberties, and the Peace of the Kingdom: And that we would address ourselves to your Majesty in behalf of them, so our manner their desires may find better acceptance with your Majesty. Whereupon having seriously weighed and considered the particulars of both their Complaints and Desires, as they are laid down in their Petition: And finding that the Grievances they complain of are the increase of the Misdemeanors formerly sustained by that County (which hath we might say three years last past been the Tragical Stage of Armes and War) by reason of your Majesty's distant Residence, and distance in Council from your great Council, the Parliament bearing great distempers and distractions, the more the Kingdom, and especially in that County: The drawing to those Parts great num-

bers of discontented persons, that may too justly be feared do effect the publicke Ruine for their private advantage; the drawing together of many Companies of the Trained Bands, and others both Horse and Foot of that County, and retayning multitudes of Commanders and Cavaliers from other parts; The daily Resort of Reculants to your Majesties Court at York; The great preparations of Armes and other warlike provisions, to the great terrour and amangement of your Majesties peaceable Subjects, and causing a great decay of Trade and Commerce amongst them. All and every of which particulars are against the Law, which your Majesty hath made so many and so frequent professions to uphold and mayntain.

And the Lords and Commons finding on the other side their humble desires to be, That Your Majesty would hearken to your Parliament, and declining all other Counsels whatsoever, unite Your Confidence to Your Parliament, and that Your Majesty would not divide Your Subjects joynt duty to Your Majesty, the Parliament and Kingdom, nor destroy the Silence of Your great Counsell and highest Court, by subjecting the Determinations and Counsels thereof to the Counsels and Opinions of any private persons whatsoever, That Your Majesty having passed an Act, That this Parliament shall not bee dissolved, but by Act of Parliament, Your Majesty would not doe any thing tending thereunto, by commanding away the Lords and great Officers, whose Attendance is necessary thereunto; That Your Ma. having expressed Your confidence in the affections of that County, You would please to dismisse Your extraordinary Guards, and the Cavaliers and others of that quality, who seem to have little Interest or Affection to the publicke good, their language and behaviour speaking nothing but Division and War, and their advantage consisting in that which is most destructive to others. And lastly, that in such Consultations and Propositions as Your Majesty maketh to that County, such may not be thrust upon them as men of that County, that neither by their fortune or Residence are any part of it.

All which their humble and most just desires being according to Law, which Your Majesty hath so often declared should be the Measure and Rule of Your Government and Actions; And We Your Majesties most faithfull Subjects the Lords and Commons fully concurring with the Gentlemen and others of the County of York in their Assurance that those desires of theirs will abundantly redound to the glory of God, the honour and safety of Your Majesty, the good of Your Posterity, and the Peace and Prosperity of this Kingdom, we humbly beseech Your Majesty graciously to hearken unto them, and to grant them; and that you would joyn with Your Parliament in a speedy and effectuall course for the Preservation of their Liberties, and the Peace of the King-

dorn, which duty as we are now called upon by that County to discharge, so doe we stand engaged to God and Man for the performance thereof by the trust reposed in us, and by our solempne Vow and Protestation; And Your Majesty together with us stands engaged by the like Obligation of Trust, and of an Oath, besides the many and earnest Professions and Protestations, which Your Majesty hath made to this Purpose to Your whole Kingdom in generall and to that County in particular; the peace and quiet of the Kingdome (as is well observed by these Gentlemen and Free-holders of *Yorke-shire* in their Petition) being the onely visible means under God, wherein consists the Preservation of the Protestant Religion, the Redemtion of Our brethren in *Ireland*, and the happinesse and prosperity of Your Majesty, and of all Your Dominions.

His Majesties Answer to the Petition of the Lords and Commons in Parliament assembled, presented to His Majesty at *Yorke*, the seventeenth of *June*, 1642.

His Majesty having carefully weighed the matter of this Petition presented to Him at *Tork* on Friday the seventeenth of June, by the Lord *Howard*, Sir *Hugh Cholmely*, Sir *Philip Stapleton*, Though Hee might refer the Petitioners to His two last Declarations, wherein most of the particulars in this Petition are fully answered, or might refuse to give any Answer at all, till Hee had received satisfaction in those high Indignities Hee hath so often complained of, and demanded Justice for; Yet that all the World may see how desirous His Majesty is to leave no Act which seems to carry the Reputation of both His Houses of Parliament, and in the least degree to reflect upon His Majesties Justice and Honour, unanswered; Is graciously pleased to returne this Answer

That if the Petition mentioned to be presented to both Houses of Parliament had been annexed to this now delivered to Him, His Majesty might have discerned the number and the quality of the Petitioners which His Majesty hath great reason to believe was not in truth so considerable as is pretended: For His Majesty assures you, That He hath never refused any Petition so attested as that would be thought to be; But His Majesty well remembers, that on the third of *June*, when there was upon His Majesties Summons, the great

rest and the most choicest concourse of people that ever was beheld of the Countie, appearing before His at York, a Gentleman (One Sir Thomas Roper) offered in that great Confluence a Petition to His Majesty, which His Majesty seeing to be opposed by no man but himself, and the generall and universall Acclamations of the people seeming to disclaim it, did not receive, conceiving it not to be of so publicke a nature, as to be fit to be presented or received in that place. And His Majesty is most confident, (and in that must appeal to those were then present) that what ever the substance of that Petition was, it was not consented to by any considerable number of Gentry, or Freeholders of this Countie, but solicited by a few mean, inconsiderable persons, and disliked, and visibly discomfited by the great Body of the knowne Gentry, Clergy, and Inhabitants of this whole Countie: And if the matter of that Petition was such as is suggested in this, His Majesty hath great reason to believe it was framed and contrived (as many others of such nature have been) in London, not in *Yorkshire*. For sure no Gentlemen of quality and understanding of this Countie, would talk of his great preparations of Arms and other warlike provisions, to the great Terrour and Amazement of his peaceable Subjects, when they are witnesses of the violent taking his Arms from him and stopping all ways for bringing more to him: And if there were no greater Terrour and Amazement of his Majesties peaceable Subjects in other places by such preparations and provisions, there would be no more cause to complain of a great decay of Trade and Commerce there, then is in this place. His Majesty hath so great an assurance of the fidelity and generall affection of His good Subjects of this Countie (which He hopes will prove exemplar on His whole Kingdom) that He hath great cause to believe, That they do not complain of His Majesties Confidence, and of His Slownesse; That whilst there is such endeavour abroad to raise Horse, and to provide Arms against His Majesty, and that endeavour put in execution, His Majesty trusts so much to the Justice of His Cause, and the Affections of His people, and neglects to provide strength and to assill that Justice, and to protect those Affections.

For any Affronts offered by the Earle of *Lindsey* or the Lord *Savill* to those who intended to petition His Majesty; His Majesty wishes that both His Houses of Parliament would have examined that Information and the credit of the Informers, with that gravity and deliberation, as in Cases which concern the Innocence and Honour of Persons of such quality hath been accustomed, before they had proscribed two Peers of the Realme, and exposed them (so much as in them lay) to the rage and fury of the people, under the Character of being *Enemies to the Commonwealth*. A brand newly found out (and of no Legall signification) to incense the people by, and with which the simplicity

of former times was not acquainted; And then His Majesty hath some Reason to believe, they would have found themselves as much abused in the report concerning those Lords, as He is sure they are in those which tell them *of the Resort of great numbers and discontented persons to Him*, and of the other particulars mentioned to be in that Petition; Whereas they who observe what Resort is here to His Majesty, well know it to be of the prime Gentlemen of all the Counties in *England*, whom nothing but the love of Religion, the care of the Laws, and Liberties of the Kingdom, besides their Affection to His person, could engage into great Journeys, Trouble and expence, Men of as precious Reputation, and as exemplary Lives, as this Nation hath any, whose assistance His Majesty knows He must not expect, if Hee should have the least Designe against Honour and Justice; And such witnesses His Majesty desires to have of all His Actions.

For the declining all other Counsels and the Uniting His Confidence to His Parliament, His Majesty desires both His Houses of Parliament seriously and sadly to consider, that it is not the name of a great or little Councell that makes the Results of that Councell just or unjust; neither can the imputation upon His Majesty of not being advised by His Parliament (especially since all their Actions and all their Orders are exposed to the publike view) long mislead His good Subjects, except in truth they see some particular sound advice necessary to the peace and happinesse of the Common-wealth disesteemed by His Majesty, and such an instance He is most assured, neither can nor shall be given, and that they will thinke it merit in His Majesty from the Common-wealth to reject such Counsel as would perswade him to make himself none of the three Estates, by giving up His negative voice to allow them a Power superiour to that which the Law hath given Him, whensoever it pleaseth the major part present of both Houses to say, that He doth not discharge His Trust as he ought, & to subject his & his Subjects unquestionable Right and Propriety to their Votes, without & against Law, upon the meer pretence of necessity. And his Ma. must appeale to all the World, who it is that endeavours to divide the joynt duty of his Subjects, His Majesty who requires nothing but what their own duty guided by the infallible Rule of the Law, leads them to do, or they who by Orders and Votes (opposite and contradictory to Law, Custome, Precedent and Reason) so confound the affections and understandings of his good Subjects, that they know not how to behave themselves with honesty and safety, whilst their conscience will not suffer them to submit to the one, nor their security to apply themselves to the other. It is not the bare saying that his Majesties Actions are against the Law (with which hee is reproached in this Petition, as if hee departed from his often Protestations to that purpose)

must conclude him, there being no one such particular in that Petition alledged, of which his Majesty is in the least degree guilty; whether the same Reverence and esteem be paid by you to the Law (except your own Votes be judge) needs no other Evidence then those many, very many Orders published in Print, both concerning the Church and State, those long Imprisonments of severall persons without hearing them upon generall information, and the great and unlimited Fees to your Officers, worse then the Imprisonment, and the Arbitrary censure upon them when they are admitted to be heard; Let the Law be judge by whom it is violated.

For that part of the Petition which seems to accuse his Majesty of a purpose to dissolve this Parliament (contrary to the Act for the continuance) by commanding away the Lords and great Officers, whose attendance is necessary, which his Majesty well knows to be a new calumny, by which the Grand Contrivers of Ruine for the State, hope to seduce the minds of the people from their affection to, or into Jealousie of his Majesty, as if He meant this way to bring this Parliament (which may be the case of all Parliaments) to nothing; it is not possible for his Majesty more to expresse his affection to, and his Resolution for the Freedom, Liberty and Frequency of Parliaments, then he hath done.

And who ever considers how visible it must be to his Majesty, that it is impossible for him to subsist without the affections of his people, and that those affections cannot possibly be preserved or made use of but by Parliaments cannot give the least credit, or have the least suspicion, that his Majesty would chuse any other way to the happinesse he desires for himself and his Posterity, but by Parliaments.

But for his calling the Lords hither, or any others absenting themselves who have not been called, who ever considers the Tumults (which no Votes or Declaration can make to be no Tumults) by which his Majesty was driven away, and many Members of either House in danger of their lives, the demanding the names of those Lords who would not consent to their Propositions by Message from the House of Commons delivered at the Bar by *M. Hollis*, with that most tumultuous Petition in the Name of many thousands (among many other of the same kinde) directed to the House of Commons, and sent up by them to the House of Lords, taking notice of the prevalence of a Malignant Faction, which made abortive all their good Motions, which tended to the peace and tranquillity of the Kingdome, desiring that those noble Worthies of the House of Peeres who concurred with them in their happy Votes, might be earnestly desired to joyn with that honourable House, and to sit and Vote as one entire Body, professing that unlesse some speedy Remedy were taken for

the Removall of all such obstructions as hindred the happy progresse of their great endeavours, their Petitioners should not rest in quietnesse, but should be enforced to lay hold on the next Remedy which was at hand to remove the Disturbers of their peace, and (want and necessity breaking the bounds of modesty) not to leave any means unassayed for their Reliefe, adding that the cry of the poore and needy was, that such persons who were the Obstacles of their peace, and hinderers of the happy proceedings of this Parliament might be forth-with publickly declared, whose Removeall they conceived would put a period to these Distractions; upon which a great number of Lords departing, the Vote in order to the Ordinance concerning the *Militia* was immediatly past, though it had been twice before put to the Question, and rejected by the Votes of much the major part of that House. And who ever considers the strange Orders, Votes and Declarations which have since passed, to which whosoever would not consent, that is, with freedome and liberty of language and Reason professe against, was in danger of censure and imprisonment, will not blame our care in sending for them, or theirs in comming, or absenting themselves from being involved in such conclusions. Neither will it be any objection that they staid there long after any Tumults were, and therefore that the Tumults drave them not away: If every day produced Orders and Resolutions as illegall as, and indeed but the effects of the Tumults, there was no cause to doubt the same power would be ready to prevent any Opposition to those Orders after they were made, which had made way and preparation for the propositions of them, and so whosoever conceived himself in danger of future Tumults (against which there is not the least provision) was driven away by those which were past: And his Majesty hath more reason to wonder at those who stay behind, after all his Legall power is Voted from him, and all the people told, That he might be with modesty and duty enough deposed then any man hath at those who have been willing to withdraw themselves from the place where such desperate and dangerous positions are avowed; which his Majesty doth not mention with the least thought of lessening the power or validity of any Act to which he hath given his Assent this Parliament; All and every of which he shall as inviolably observe, as he looks to have his own Rights preserved, but to shew by what meanes so many strange Orders have of late been made, And to shew how earnestly his Majesty desires to be present at, and to receive Advice from both Houses of Parliament (against whom it shall never be in the power of a malignant party to incense his Majesty) his Majesty again offers his consent, that both Houses may be Adjourned to another place, which may be thought convenient, where his Majesty will be present, and doubts not but the Members of either House will make a full Appearance; And

even the Interimission which must attend such an Adjournment, may not be the least means of recovering that temper which is necessary for such Debates.

And this his Majesty conceives to be so very necessary, that if the minds and inclinations of every Member of either House were equally composed, the Licence is so great, that the meane people about *London* and the Suburbs have taken, that both for the Liberty and Dignity of Parliament, that Convention for a time should be in another place. And sure how much soever the safety and security of this Kingdome depends on Parliaments, it will never be thought, that those Parliaments must of necessity be at *Westminster*.

His Ma. Confidence is no lesse then he hath expressed (& hath great cause to expresse) in the affections of this County an instance of which affections all men know his own Guard (which is not extraordinary) to be, & wonders that such a legal Guard at his charge, for his person, (within 20 miles of a Rebellion, and of an Army in pay against him) should be objected by those, who for so many moneths, and in a place of known and confessed security, have without and against Law kept a Guard for themselves at the charge of the Commonwealth, and upon that stock of money which was given for the reliefe of the miserable and bleeding condition of *Ireland*; or the payment of the great debt due to Our Kingdom of *Scotland*.

For the resort of Papists to the Court, his Majesties great care for the prevention thereof is notoriously knowne, that when hee was informed two or three of his intended Guard were of that Religion, hee gave especiall direction, with expressions of his displeasure, that they should be immediatly discharged, & provided that no person should attend on him under that Relation, but such as took the Oaths of Allegiance and Supremacy; that he commanded the Sheriff to proceed with all severity according to the Law against all Papists that should come within five miles of the Court. and if notwithstanding this, there be any Papists neer the Court, (which his Majesty assures you he knows not, nor hath heard but by this Petition) he doth hereby Command them to depart, and declares to all Officers and Ministers of Justice, that they shall proceed strictly against them according to the Law, and as they will answer the contrary at their perils.

For the language and behaviour of the *Cavaliers* (a word by what mistake soever it seems much in disfavoure) there hath not been the least complaint here, and therefore it is probable the fault was not found in this County. Neither can his Majesty imagine what is meant by the mention of any men thrust upon them in such Consultations and Propositions as His Majesty makes to this County, who are neither by their Fortune or Residence any part of it, and therefore can make no answer to it.

To conclude, His Majestie assures you He hath never refused to receive any Petition, whether you have or no your selves best know, and will consider what Reputation it will be to you of Justice or Ingenuity to receive all Petitions how senseless and scandalous soever of one kind, under pretence of understanding the good peoples mindes and affections, and not onely refuse the Petition, but punish the Petitioners of another kind, under colour that it is a crime, that they are not satisfied with your sense, as if you were onely trusted by the people of one opinion; To take all pains to publish and print Petitions which agree with your wishes, though they were never presented, and to use the same Industry and Authority to keep those that indeed were presented and avowed from being published (though by Our own Authority) because the Argument is not pleasant to you; To pretend Impartiality and Infalibility, and to expresse the greatest passion and affection in the Order of your Proceeding, and no lesse error and mis-understanding in your Judgements and Resolutions. He doth remember well the obligation of His Trust and of His Oath, and desires that you will doe so too, and your own solemn Vow and Protestation, and then you will not only think it convenient, but necessary to give His Majestie a full Reparation for all the scandalalls laid upon Him, and all the scandalous positions made against Him, and that it is lesse dishonour to retract errors, then by avowing to confesse the malice of them, and will see this to be the surest way for the preservation of the Protestant Religion, the redemption of Our Brethren in Ireland, the happinesse and prosperity of your selves and of all Our Dominions, and of the Dignity and Freedom of Parliament.

F. I. N. I. S.

By the King.

A Proclamation forbidding all Levies of Forces without His Majesties expresse pleasure, signified under His Great Seale, and all Contributions or Assistance to any such Levies.

V Whereas, under pretence that ~~Wee~~ intend to make War against the Parliament (the contrary whereof is notoriously knowne to all that are here and as ~~Wee~~ hope by this time apparent to all other Our Subjects, as well by Our Declaration of the fiftteenth of June, as by the Testimonie of all Our Nobility and Councell who are here upon the place) And by colour of the Authoritie of both Houses of Parliament (a major part whereof are now absent from London) by the contrivance of some few evil

persons, disguising and colouring their pernicious Designes and hostile Preparations under the plausible names of The preservation of publicke Peace and defence of Vs and both Houses of Parliament from Force and Violence, it hath been endeaboured to raise Troopes of Horse and other Forces,

And for that purpose they have prevailed, not onely to prohibit Our own Honeys to be paid to Us, or to Our use, but, by the same and Authority of Parliament, to excite Our Subjects to contribute their Assistance to them, by bringing in Honeys, Plate, or underwriting to furnish and maintaine Horses, Horsesmen, and Arms; And to that purpose certain Propositions or Orders (as they are styled by them) have been Printed, whereby they have endeaboured to engage the Power and Authority of Parliament (as if the two Houses, without Us, had that Power and Authority) to save harmlesse, all those that shall so contribute, from all Persecution and inconvenience that may befall them by occasion thereof.

And although We well hope that these malignant persons (whose Actions do now sufficiently declare their former Intentions) will be able to prevail with few of Our good people to contribute their Power or Assistance unto them; Yet, lest any of Our Subjects (taking upon trust what those open affirme) without weighing the grounds of it, or the danger to Us, themselves, and the Common-wealth, which would ensue thereupon, should indeed beleve (what these persons would insinuate, and have them to beleve) That such their Contribution and Assistance would tend to the preservation of the Publick Peace, and the Defence of Us and both Houses of Parliament, and that thereby they should not incur any danger.

We, that We might not be wanting (as much as in Us lieth) to fore-shew and to prevent the danger which may fall thereupon, Have hereby thought good to declare and publish unto all Our loving Subjects, That by the Laws of the Land, the power of raising of Forces or Arms, or levying of War for the defence of the Kingdome, or otherwise, hath alwayes belonged to Us, and to Us onely, and that by no Power of either, or both Houses of Parliament, or otherwise, contrary to Our personall Commands, any Forces can be raised, or any War levied.

And therefore, by the Statute of the seventh yeere of Our famous Progenitor, King Edward the first, whereas there had been then some variances betwixt him and some great Lords of the Realme, and, upon Treaty thereupon, it was agreed, that in the next Parliament after provision should be made, That in all Parliaments, and all other Assemblies which should be in the Kingdome for ever, that every man should come without Force and Armour, well and peaceably: Yet at the next Parliament when they met together to take advice of this Businesse (though it concerned the Parli-
ment

went it selfe) the Lords and Commons would not take it upon them, but answered, That it belonged to the King to defend Force of Armour, and all other Force against the Peace at all times when it pleased Him, and to punish them which should doe contrary, according to the Lawes and Usages of the Realm, and that they were bound to aid Him, as their Sovereigns Lord, at all seasons when need should be. And accordingly in Parliament, in after times, the King alone did issue His Proclamations, prohibiting bearing Armes by any person, in, or neere the City where the Parliament was of excepting such of the Kings Servants as He should depute, or should be deputed by His Commandement, and also excepting the Kings Ministers. And by the Statute of Northampton, made in the second yeere of King Edward the third, it is Enacted, That no man, of what condition soever he be (except the Kings Servants, in His presence, and His Ministers in executing the Kings Precepts, or of their Office, and such as be in their company assisting them) go, nor ride Armed by night or day in Fairs, Markets, nor in the presence of the Justices, or other Ministers, nor in no part elsewhere.

And this power of raising Forces to be solely in the King, is so knowne and inseparable a right to the Crowne, That when, in the reigne of King Henry the eight, there being a sudden Rebellion, the Earle of Shrewsbury, without Warrant from the King, did raise Arms for the suppression thereof, and happily suppressed it, yet was he forced to obtaine his Pardon. And whereas the Duke of Gloucester, and other great Lords, in the eleventh yeere of King Richard the second (upon pretence of the good of the King and Kingdome, the King being then not of age, and led away, as they alleged, by evil Counsellours) did raise Forces, and by them mastered their Adversaries. In that Parliament (such as it was, for it was held and kept with Force, how good use soever hath been made of the Presidents therein) they procured a speciall Act of Pardon for their raising of Men, and that those Assemblies should not be taken into example for the time to come.

And as no man can leavie War, or raise Forces without the King, so much lesse against the personall Commands of the King opposed thereunto: For, by the Statute of the 25. yeare of King Edward the third (which is but Declaratory of the old Law in that point) it is Treason to leavie War against the King in His Realme; Within the construction of which Statute, it is true (which was said in the late Declaration, under the name of both Houses of Parliament, of the 26. of May last) leavying War (in some sense) against the Kings authority (though not intended against His Person) is leavying War against the King: And therefore the raising of Forces, though upon pretence of removing of some evil Counsellors from about the

Queen;

Queen hath been adu'dged Treason, in the Case of the late Earle of Essex in the Reigne of Queen Elizabeth, and in diuers other Cases. (And We wish all Our Subjects to consider, Whether, if men shall be raised contrary to Our Proclamation, and against Our Will, it be not against Our authority.) But it is as true (and was neuer denied, but in that Declaration) That the raising of Forces against the Kings personall Command (being no Idiot, nor Infant, incapable of understanding to Command) being accompanied with His presence, is, and is most properly leaping of Warre against the King; For if it be a sufficient pretence for raising of Men against the Kings person, that it is for the defence of the Kings authority, and of His Kingdome (though against his expresse Command and Proclamation) the Irish Rebels will have colour for their horrid Rebellion; For they say (though it be notoriously false) It is for the defence of the Kings Authority, and of His Kingdome; And Wat Tyler and Jack Cade, and Kett the Tanner wanted not publick Pretences, which were perhaps iust causes of Complaints, though not of raising of Men.

And though these persons have gone about subtilly to distinguish betwixt Our Person and Our Authority, as if, Because Our Authority may be where Our Person is not; that therefore, Our Person may be where Our Authority is not; We require all Our good Subjects to take notice of the Law (which is in Print and full Force) That their Allegiance is due unto the naturall Person of their Prince, and not to His Crown or Kingdome distinct from His naturall Capacitie. And that by the Oath of Ligeance at the Common Law (which all persons above the age of twelue yeeres are, or ought to be sworn unto) they are bound to be true and faithfull, not to the King onely as King; but to Our Person as King CHARLES, and to beare Us truth and faith of Life and Member, and earthly Honour; and that they shall neither know nor heare of any ill or damage intended to Us that they shall not defend. And that when, in the time of King Edward the second, Hugh Spencer being discontented with the King, caused a Bill to be written, wherein was contained amongst other things, That Homage and the Oath of Allegiance was moze by reason of the Kings Crown (that is, His Kingdome) then of His Person; and that seeing the King cannot be reformed by iust Law, if the King will not redresse and put away that which is ill for the Common People, and hurtfull to the Crowne, That the thing ought to be put away by force, and that His Leisgebe bound to Govern in aid of Him, and in default of Him; he was condemned for it by two Parliaments, and perpetually banished the Kingdome.

We have made mention of these cases, not so much to cleere Our Right

* Cook 7. Rep.
Calvins Case.

That We alone have the power of raising Forces, and none of Our Subjects, either in Parliament, or out of Parliament against Our Will, or personall Command (which We think no man that hath the least knowledge in Our Laws, and is not led away by private Interests, and may speake his minde freely, will deny, nor was ever questioned in any Parliament before this time) as to let them see how dangerous the effect and consequence of raising of Forces, without Us, may be unto Us, and to the Common wealth, under pretence of Defence of both.

And though We cannot doubt of the affections of Our good Subjects, considering their interest is involved with Ours, and how precious the peace of the Kingdome is, and ought to be unto them; and that according to the words of the Statute of the eleventh yeare of King Henry the seventh, and the eighteenth Chapter, By the duty of their Allegiance they are bounden to serve and assist Us at all seasons when need shall require.

Yet, to the end that Our good Subjects may know what their duty is, and what We expect from them, and that all others, who, through Malice or private Interests, shall be transported beyond their duties, may be left without excuse; We doe therefore by this Our Proclamation charge and command all Our Subjects upon their Allegiance, and as they tender Our Honour and Safety, and the Peace and Safety of the Kingdome, that they presume not to raise or leaue any Horses, Horsemen, or Arms, or any Forces whatsoever, by colour of any Authority whatsoever, without Our expresse pleasure signified under Our great Seale, (other then such as shall be raised, leaved and impressed by the Order, as well of Our Selfe, as of both Houses of Parliament, according to an Act made this Sessions, intituled, An Act for the better raising and leavying of Souldiers for the present defence of the Kingdomes of England and Ireland (by Justices of Peace, and otherwise, in such manner as is prescribed in the said Act) or Contribute, or give any Assistance in Money, Plate, finding of Horses, Horsemen, or Arms, or any other wayes, to or for any such Preparation, Levie, or Forces: And that such of Our good Subjects, who through Ignorance have been misled to consent or subscribed to any such Levie, Contribution, or Assistance, forthwith, upon publication of this Our Proclamation, desist from continuing such their Contribution or assistance or giving any Countenance to any such Levies, at their utmost perils.

And We doe likewise straitly Charge and Command as well all Sheriffs, Justices of Peace, Mayors, Bailiffs, Constables, and all other Our Officers whatsoever. That they use their utmost endeavours, as well for publishing this Our Proclamation, as for the suppressing of all Levies, or Forces raised, or to be raised without or against Our consent: As also all

other Our loving Subjects. That they be attending, Aiding, and Assisting Our said Officers and Ministers therein, as they, and every of them will answer it at their utmost perils.

Given at Our Court at *Yorke* the eighteenth day of *June*, in the eighteenth yeere of Our Reigne. 1642.

By the King.

A Proclamation to inform all Our loving Subjects of the Lawfulness of Our Commissions of Array, issued into the severall Counties of Our Realm of *England*, and Dominion of *Wales*, and of the use of them: And commanding them to obey our Commissioners therein named, in the execution of their said Commissions.

Whereas, by the Lawes of this Land, the Ordering and Governing of the Militia of the Kingdome, for the preventing and suppression of all Invasions and Rebellions, hath (as a most knowne and undoubted Right and Prerogative) belonged in all time solely to Our Selfe and Our Progenitors, Kings of *England*. And accordingly We have heretofore awarded Commissions of Lieutenancy into the severall Counties of this Our Realm, for the governing and exercising of the Shroffte and Trained Bands there, like as Queen Elizabeth and Our dear Father, both of happy memorie, had done before Us. And therein (amongst other things) gave power to the Commissioners in each Countie, to Leagle, call together, Arme, Array, Train, and muster Our Subjects inhabiting in the said severall Counties, and to Conduct and lead them against all Our Enemies, and all Rebels and Traitors from time to time, as often as need should require.

All which Commissions (although We do, since the beginning of this Parliament, grant the like for the County of *York*, to the now Earle of *Essex*, with the privyety of both Our Houses of Parliament. and without exception from either) have, without hearing any of Our Councell learned, been since Voted in Our said Houses of Parliament to be illegall and void; the reason whereof We have not yet been informed of, nor can imagine: For that neither any illegall Clause (if any such be) in those Commissions, nor any excesse or abuse of their Authority, by any Lieutenants or their Deputies, in raising of moneys, taxing of the Inhabitants, or otherwise could,

by Law, make void any such Powers as in themselves were lawfull to be granted and put in execution.

And whereas, in cases of danger and necessity, it had been more suitable to the condition of the times, and the good liking of Our Subjects (who cannot be well pleased with any new wayes, how specious soever) that Our Houses of Parliament should have taken Order that Our Commissions of Lieutenancie (the Courte whereof had so long continued) should, for the present, have been put in execution, at leastwise such part thereof as was undeniable and unquestionably legall, and was sufficient for the purposes before mentioned, or that (according to the like Presidents in former times) they would have desired Us to have granted new Commissions of that nature, omitting such clauses as might iustly have been excepted against, which We would not have denied, and not to have called in so suddenly for those Commissions to be cancelled, as was done (though We know not by what Law) in our House of Peers. Yet notwithstanding, Our two Houses of Parliament, in stead of such Our Commissions, under pretence of evident and imminent danger, and urgent and inevitable necessity of putting Our Subjects into a Posture of Defence, have made a late Order for the setting of the Militia, under the name of an Ordinance (which two or thre severall times had been refused by the maior part of Peers) and being made, not only without, but against Our Consent (the reasons whereof are sufficiently known to all Our Subjects) is not onely without any one warantable President of former times (as we beleve) but (as Wee are well assured) void in Law.

Wherefore, out of the care which We have of Our People, lest under the pretence of danger, necessity, and want of Authority from Us to put them into a Military Posture, they should be drawn and engaged in any opposition against Us or Our iust Authority; and that they may know they are by Us otherwise provided for and secured against all iust causes of Feares and Dangers, and from any Force in a legall way (for We are so resolved to rule and governe Our Subjects according to Our known Lawes onely) We have thought fit for the present, hereby thus timely to publish and declare, That We have awarded into the severall Counties of Our Kingdom of England and Dominion of Wales, Our severall Commissions of Array; thereby giving power to severall Persons of Honour, Reputation and Estate in the said Counties, for the safety and defence of Us, Our Kingdom, and Our good Subjects from time to time, as it shall be needfull to Array, Train, Arm, and Muster Our Subjects inhabiting in the said Counties, and in case of imminent danger to conduct and lead them for the destruction of Our Enemies, and in the defence of their Countrey and the Kingdome.

Which power of granting Commissions for the defence of Us and Our Kingdomes, as it is inherent in Us, and inseparable from Our Crown, hath been warranted by Presidents of the like Commissions in all Ages, both before and since the grant of the great Charter by King Henry the third, down to the very time that Commissions of Lieutenancie were granted, and was agreed to be legall even by the two learned Judges, Sir George Crook, and Sir Richard Hutton, (amongst all the rest) in their Arguments, which concluded on the Subjects part in Our Exchequer-chamber in *Paster Hampdens Case*, as by the same (now since printed) may appeare, together with divers particular Records in severall Ages therein mentioned, to which many more may be added.

And in these Our Commissions, to prevent all manner of Exception. We have, in the powers given to Our Commissioners, in all points followed that Commission of Array, which was agreed upon by the King and both Houses of Parliament, after conference with the Judges of the Realm, in the fifth yeere of King Henry the fourth, and was done upon the desire of the Commons, to have some alterations from former Commissions in certaine overstrict Clauses, whereunto neverthelesse no exception was taken for the legalitie, but the Kings Assent acknowledged as an Act of great Grace, as appeareth by the Parliament Rolls of that yeere. Since which time Commissions of Array have frequently issued for prevention of danger, either of Enemies abroad or at home (in both which respects Our Houses of Parliament have voted this Kingdome to be in danger) the same being indeed the old ordinary way for the preservation of the King and Kingdome, who must not delay their preparation till such danger break forth into Action, and so perhaps prove too late. And these Commissions of Array were not discontinued, till by reason of the Commissions of Lieutenancie (which in substance contained the powers given by those Commissions of Array) they came to be of little use.

And, whereas by the Statute of the fourth and fifth yeers of the Reign of Philip and Mary King and Queen of England, it is enacted, That if any person or persons that shall be commanded generally or specially to muster afoze any such as shall have Authority or Commandment for the same, by, or from the King or by any Lieutenant, warden or other person or persons authorized for the same, do willingly absent him or themselves from the same musters, having no true and reasonable excuse of Sicknesse, or other lawfull Impediment, or at their appearance at such musters, do not bring with them such their best Furniture, or Array and Armour, as he or they shall then have for his or their own person in readinesse, that such person or persons shall, for every such default and offence, incurre such penalties, and to bee inflicted in

such manner as by the said Statute are limited. Which Statute is in full force.

We do therefore, by this Our Proclamation, expressly charge and command all Our Sheriffs, Justices of Peace, Mayors, Bailiffs, Constables, and all other Our Officers and other Our loving Subjects of Our severall Counties of England, and Dominions of Wales respectively, That they bee attending, aiding, assisting, counselling, and at the Commandement of the said Commissioners of Our severall Counties respectively in the execution of their Commissions, as they will answer the contrary at their utmost perils.

And although We can nothing doubt that any of Our loving Subjects shall or will oppose or hinder Our said Commissioners in the Execution of their said Commissions, by putting in Execution any Power touching the Militia, not Warranted by Our Authority, or otherwise disturbing Our said Commissioners in Execution of Our Service, considering the extreme danger wherein such Act may, upon the severall Circumstances by the strict construction of Law, involve them: Yet, lest any ill-affected Persons, too far presuming upon Our Clemencie, and in hope of impunitie or pardon, should dare to offend Us and our Lawes, contrary to this Our Proclamation, We do hereby declare to all Our Subjects, That whosoever shall, after this Our Proclamation published, do any thing in opposition of Our Commissioners, by disobeying their Commands, according to Law, or putting in Execution any other Command concerning the Militia of Our Kingdome, contrary to Law. We shall account them unworthy of Our Grace and Mercy, and such as must expect, that Justice (how penall or capitall soever it be) shall be done upon them according to their demerits.

Given at Our Court at *Yorke* the twentieth day of *June*, in the eighteenth yeare of Our Reigne. 1642.

A Declaration of the Lords and Commons concerning a paper directed by his Majesty to the Lord Major and Sherifs of *London*, Dated *June* fourteenth 1642.

VHereas in a paper inscribed to our trusty and wel-beloved the Lord Major, Aldermen and Sheriffs of the City of *London*, dated the fourteenth of *June* 1642. It is affirmed that great labour is used to perswade his Majesties Subjects to raise horse, and to furnish money upon pretence of a Guard for the Parliament, but in truth to be employed against his Majesty,

The Lords and Commons do declare that the designe of those propositions is, as was formerly declared, to maintain the protestant Religion the Kings authority and person in his Royall dignity, the free course of Iustice, the Laws of the Land, the peace of the Kingdom and priviledges of Parliament, against any force which shall oppose them. And they do further declare, that as the forces already attending his Majesty and the preparation which his Majesty is now making of arms, Horse and Ordinance from within his Kingdom and without, at first coloured under the pretence of a Guard; do evidently appeare to be intended for some great and extraordinary Designe, so they give just cause of feare and jealousy to the Parliament. And do fully justifie those Votes of the Kings intencion of levying War against the Parliament, to be altogether free from any imputation of scandall as is injuriously cast upon them by that paper; For so long as his Majesty shall continue those levies and preparations. The Lords and Commons in Parliament, having been so often threatned and reviled for their proceedings about *Hull*. and the *Militia*, so necessarily undertaken for the good and peace of the Kingdom. they cannot be secured by his Majesties solemn protestation alone, expressed in this and other Declarations, That all his desires and purposes are for the publick peace, and that hee hath not the least thought of using force, except hee be compelled to it for the defence of his person and protection of the laws, seeing his Majesty in a Declaration published at *Heworth More*, doth interpret the protection of the laws in such a manner as giveth just and full occasion to believe, that by protecting the laws, his Majesty intendeth force upon or against those who shal submit to the Ordinance of the *Militia*: And because it appears by divers expressions & proceedings of his Majesty, hee hath discovered an intimation of making som attempt upon *Hull*. In both which cases they do declare that whatsoever violence shalbe used either against those who exercise the *Militia*, or against *Hull*. they cannot but believe it as done against the Parliament.

And whereas the Houses have upon loane received great summes of money for the service of *Ireland*, from the Companies of the City of *London*, (for which they give them great and hearty thankes) They doe declare that these summes shall be dispended as the former have beene to that only service. Notwithstanding an Insinuation laying an aspersiion upon them as if they had done otherwise. Further, whereas it is declared to the great reproach of the Parliament, that the sums desired towards the raising of Horse and arms is contrived upon generall pretences by some few Factionous persons we leave it to the World to judge how it is possible, the Houses should have all their members, seeing divers of them are by his Majesty summoned to *York*, and there contrary to the Lawes of the Land, and priviledges of Parliament detained, nay, protected from the Iustice of both Houses.

And secondly, how that can possibly be called a Faction which is done by both Houses of Parliament the greatest Court of *England*, and the most faithfull Councill his Majesty hath. But at such language as this they wonder not, considering by what wicked counsell his Majesties affairs are guided, and by what malignant spirits his Majesties affections to the Parliament of late have bin mislead.

Both Houses well weighing the premisses do forbid any Majors, Sheriffs, Bailiffs, or other Officers whatsoever to publish or spread that paper as they will answer their contempt to the Parliament. And do assure themselves that neither his Majesties commands nor his threats will withdraw or deter men well affected to the publique from doing their dutie, in contributing such money, horse and plate, as will bee necessary for the preserving the being of the Parliament, the peace of the Kingdom, and those other ends before mentioned, for which they are desired. The dangerous and mischievous intentions of some about his Majestie being such, that whatsoever is most precious to men of conscience and honour, as religion, liberty, and publique safety, are like to bee over-whelmed and lost in the generall confusion and calamity of the Kingdom, which will not only question, but overthrow the Charter of the City of *London*, expose the Citizens, their Wives and Children to violence and villany, and leave the wealth of that famous City, as a prey to those desperate and necessitous persons.

The Lords and Commons as they hope by this means those horrid Mischiefs may be prevented: So those of the Citie (which contribute hereunto) (whereof none are so mean and base, as to deserve the reproches cast on them by that paper:) And all his Majesties good Subjects may be assured that in doing their duty herein, they shall be protected and secured in their persons, Liberties, and Estates, by the power and authority of both Houses of Parliament according to their former engagements, which they will ever faithfully perform.

FINIS.

His

His Majesties Answer to a Printed Paper, Intituled, A new Declaration of the Lords and Commons in Parliament, of of the 21. of June 1642. in Answer to his Majesties Letter, dated the 14. of June, and sent to the Lord Major, Aldermen and Sheriffes of the Citie of London.

IT seems by a new Declaration of the 21 of June, in answer to Our Letter of the 14 of the same Moneth to the Lord Major of London, that the Lords and Commons in Parliament have much more leasure then they pretend, or that those Persons whom We have before described in Our former Answers and Declarations, and of whom onely We would be understood to speak, think such Declarations and Votes to be such unresistable Engines of Batterie against Vs and the Law, that no strength can oppose them : And therefore though they will take notice from whence that Letter came, they will vouchsafe it no other mention, but of a Paper (as if found by chance) inscribed, *To Our trustie and welbeloved, &c.* And it is wonder, that since they have usurped the Supream Power to themselves, they have not taken upon them the Supream Style too, and directed this very new Declaration, *To their trustie and welbeloved, their Subjects of the Citie of London* ; For it is too great and palpable a scorn to perswade them to take up Arms against Our Person, under colour of being loving Subjects to Our Office, and to Destroy Vs, that they may Preserve the King.

They are offended that We should beleeve, That their end of perswading Our Subjects to raise Horse, and to furnish Money upon pretence of a Guard for the Parliament, is in truth to employ those Horse, Men and Money against Vs. Let the reasons of Our belief be never so strong, and their Actions never so evident to compell all other men to beleeve so too, The Lords and Commons do declare (think what you will, and see what you can) *That the Designe of those Propositions for raising Men, Horse and Money, is to maintain the Protestant Religion, The Kings Authority and Person in His Royall Dignity, The free course of Justice, The Lawes of the Land, The Peace of the Kingdom, and Priviledges of Parliament against any Force which shall oppose them* : And this all men are bound to beleeve, though they see the Protestant Religion, and the Professours thereof miserably reproached, and in danger of being destroyed by a vicious and Malignant party of Brownists, Anabaptists, and other Sectaries, (the principall Ring leaders of whom have too great a power, even with some Members in both Our Houses of parliament). Our Authority despised.

despised, and, as much as in them lies, taken from Vs, and reviled in pulpits and presses by persons immediately in their protection, and of their recommendation, and Our person driven away by Tumults and rude multitudes, against whom We can have no Justice; The course of Justice interrupted and stopped by Orders and Injunctions never heard of till this Parliament; The Laws of the Land trampled under foot and frustrated, and new Laws attempted to be made and imposed upon Our Subjects, without and against Our consent; The Peace of the Kingdom shaken and frightened away by discountenancing the Laws, absolving (as much as in them lies) the people from the Rules of Government or Obedience, and even declaring a War against Vs and the Laws of the Land; And lastly, The Priviledges of Parliament so far extended, as if to the bare sound of Priviledge of Parliament, The Liberty and Property of the Subject, the dignity and certainty of the Law were in such subjection, that they may first make what Orders they please, and in what cases they please; And whosoever disputes those Orders, and submits not to those Votes, breaks their Priviledges, and whosoever breaks their Priviledges is an Enemy to the Common-wealth, and worthy of such other Attributes (either of favouring the Rebellion in *Ireland*, or advancing the War here) as are most likely to render that person suspected or odious to the people: If in truth this be evidently and demonstrably the case, such Declarations will no more gain credit with, or longer mis-lead Our Subjects, then if they should tell them, That We are personally with them in *London*, when all men see Vs here at *York*.

As they have Declared (the best Argument or Evidence you are to look for) that all that they do is lawfull, because they do it; so they proceed by the same power, to assure those, who are apt to be deceived by them, that the Force already attending Vs (they would certainly do otherwise if they did really believe such Force to be about Vs) and the Preparation We are making, do evidently appear to be intended for some great and extraordinary designe, and do justify their former Votes of Our intention of leaving War against Our Parliament: And they have at last given some Reason for that Vote and Declaration; They finde by Our severall Declarations That We intend force against those who shall submit to the Ordinance of the *Militia*, and that We intend to make an attempt upon *Hull*: In both which Cases they are pleased to declare. *That whatsoever violence shall be used either against those who exercise this Militia, or against Hull, they cannot but take it as done against the Parliament.* We are beholding to them that they have explained to all Our good Subjects the meaning of their Charge against Vs; That by Our intention of making War against Our Parliament no more is pretended to be meant, but Our Resolution not to submit to the high injustice and in-

dignity of the Ordinance and the businesse of *Hull*. We have never concealed Our intentions in either of those particulars (We wish they would deal as clearly with Vs) but have atwayes and do now declare, That that pretended Ordinance is against the Law of the Land, against the Liberty and Property of the Subject, destructive to Sovereignty, and therefore not consistent with the very Constitution and Essence of the Kingdom, and to the Right and Priviledge of Parliament ; That We are bound by Our Oath (and all Our Subjects are bound by theirs of Allegiance and Supremacie, and their own Protestation lately taken, to assist Vs) to oppose that Ordinance which is put already in execution against Vs, not onely by Training and Arming Our Subjects ; but by forceably removing the Magazines from the places trusted by the Counties, to their Own houles, and guarding it there with Armed men ; whither it will be next removed and how used by such persons We know not. That the keeping Vs out of *Hull* by Sir *John Hotham* was an Act of high Treason against Vs, and the taking away Our Magazine and Munition from Vs was an Act of Violence upon Vs (by what hands or by whose direction soever it was done) and in both Cases, by the help of God and the Law, We will have Iustice or lose Our life in the requiring it, the which We do not value at that rate as to preserve it with the infamy of suffering Our Self to be robbed and spoiled of that dignity We were borne to. And if it be possible for Our good Subjects to beleieve, that such a defence of Our Self, with the utmost power and strength We can raise, *is making a War against the Parliament*, We do not doubt (however it shall please God to dispose of Vs in that Contention) but the Iustice of Our Cause will at the last prevail against those few Malignant Spirits who for their own ends and Ambitious designs have so misled and corrupted the understandings of Our People, and that both Our houses of Parliament will in short time discern by their own observation and the Information We shall speedily give them, how neer this Flourishing Kingdom is brought to ruine and confusion by these Persons.

And since neither Our Declaration, nor the Testimony of so many of Our Lords now with Vs can procure credit with these Men. but that they proceed to leavy horres, and to raise Money and Arms against Vs ; We are not to be blamed, if (after so many gracious expostulations with them upon undeniable Principles of Law and Reason, which they answer onely by voting that which We say to be neither law nor reason, and so proceed actually to levy War upon Vs to iustifie that which cannot be otherwise defended) at last We make such Provision, that as We have been driven from *London*, and kept from *Hull*, We may not be surprized at *York* ; but in a condition to resist and bring to iustice those Men, who would perswade Our People, that their Religion is in danger, because We will not consent it shall be in their

power to alter it by their Votes ; or their Liberty in danger, because We will allow n. Judge of that Liberty but the known Law of the Land : yet What ever Provision We shall be compelled to make for Our Security, We will be ready to lay down as soon as they shall have revoked the Orders by which they have made Leavies, and submit those persons who have detained Our Towns, carried away Our Arms, and put the *Militia* in execution contrary to Our Proclamation, to that Triall of their Innocence the Law directs, and to which they were born. If this be not submitted to, We shall with as good a Conscience (and We beleieve, We shall not want the affections of Our good Subjects to that end) proceed against those who shall presume to exercise that pretended Ordinance for the *Militia*, and the other who keep Our Town of *Hull* from Vs. as We would resist persons who came to take away Our life or Our Crown from Vs. And therefore We shall again remember and require Our Citie of *London* to obey Our former Commands, and not to be misled by the Orations of those Men (who are made desperate by their Fortunes, or their Fortunes by them) who tell them their Religion, Libertie, and Propertie is to be preserved no other way but by their disloyaltie to Vs ; That they are now at the brink of the river; and may draw their Swords, when nothing pursues them but their own evil consciences. Let them examine what excellent fruits of Religion the lives of those Men have brought forth, and what great Advancers they have been of the Publike Libertie, and Property ; How long they have had those Opinions they would ruine them to defend, and how they came to those Opinions ; Let them consider whether their Estates come to them, and are settled upon them by Orders of both Houses, or by that Law which We Defend ; what Security they can have to enjoy their Own, when they have helped to Rob Vs ; And what an happy Conclusion that Warre is like to have. which is raised to oppress their Sovereigne ; That the Wealth and Glory of their Citie is not like to be destroyed any other way, but (and that way inevitably it must) by Rebelling against Vs ; nor their Wives and Children to be exposed to violence and villanie, but by those who make their Appetite and Will the Measure and Guide to all their Actions. Let them not fancie to themselves Melancholike apprehensions, which are capable of no satisfaction, but let them seriously consider what security they can have, that they have not under Vs or been offered by Vs ; And whether the Doctrine these men teach, and would have them defend, doth not destroy the foundations upon which their securitie is built.

And We do lastly declare againe, and publish to all the VWorld ; That VVe shall proceed against all Persons whatsoever that shall assist those Leavies, by furnishing of Horse, Money and Plate, as against the Disturbers of the Publike Peace, and the Authors of those Distractions which threaten the Ruine of Vs and this Kingdom. . *FINIS.* .

A Declaration of the Lords and Commons in Parliament, concerning an illegall Writt sent to the High Sheriff of *Essex*.

VHereas *Robert Smith* Esquire, now high Sheriff of the County of *Essex*, hath lately received a Writt bearing date the 27 day of *May*, in the eighteenth yeer of his now Majesties Reign, thereby commanding him to publish a Proclamation, whereby all his Majesties Subjects belonging to the Trained Bands or *Militia* of this Kingdome, are forbidden to Raile, March, Muster, or Exercise by vertue of any Order or Ordinance, of one or both Houses of Parliament, without consent or warrant from his Majesty upon paine of punishment according to the Laws. And whereas the said High Sheriff hath now addresssed himselfe to both Houses of Parliament, for advice and directions therein concerning the said Proclamation to be contrariant and repugnant to the Ordinance and Judgment of both Houses of Parliament concerning the *Militia*.

It is therefore declared by the Lords and Commons in Parliament (they intending nothing by the said Ordinance, but the protection and security of his Majesties person, the defence of the Kingdom against Forreigne invasion, and preservation of the publike peace against intestine Rebellions and Insurrections here at home, the mayntenance of the priviledges and authority of Parliament according to the Protestation.

That the said Writ is illegall, for that by the constitution and policy of this Kingdom, the King by his Proclamation cannot declare the law contrary to the resolution of any of the inferiour Courts of Justice, much lesse against the high Court of parliament. And likewise for that this Writt forbiddeth that to be done which they are obliged unto by their duty to God, their Allegiance to his Majesty, and the trust reposed in them by the Common-wealth, (the Law having intrusted them to provide for the good and safety thereof.) And that the said high Sheriff hath done nothing in forbearing to publish the said proclamation, but according to his duty, and in obedience to the Order of both Houses. And he is hereby required not to publish the said proclamation, or any other proclamations or Declarations of the like nature, that concerne the parliament, without the first acquainting the said Houses.

And it is further declared that the said high Sheriff, and other Sheriffs of other Counties within this Kingdom of *England*, and the Dominion of *Wales* for their obedience to the Orders and Ordinances of parliament; Or that have

or hereafter shall doe any thing in the execution thereof, shall be protected by the power and authority of both the said Houses.

FINIS.

O *Ordered by the Lords and Commons, That this be forthwith Printed.
H. Elsyng Cler. Parl. Dom. Com.*

The Copy of a Warrant from the Kings most Excellent Majesty, directed unto the high Sheriff of the County of *York*, for summoning of al Gentlemen & others, being protestants, who are charged with Horſes for His Majesties Service, or have liſted themselves to attend personally for his Majesties security ;
to make their appearance at *York* on Thursday the seventh of *July*, 1642.

His Majesty hath given speciall charge, That you speedily give effectuall warning to all Gentlemen within your severall respective Divisions, as also to all who are or heretofore have been charged with horſes for his Majesties Service, or have liſted themselves to attend personally for his Majesties security, or that are of ability by their estates so to doe ; that they be at *York*, (all excuses and delays set apart) upon Thursday next being the seventh of *July*, by ten of the clock before noon : And that such who are obliged by their Subſcriptions, or otherwise, bring along with them their horſes and furniture accordingly ; and that others not so ingaged or charged (of whose ſuitable affection there is the like perſwaſion) be here at *York* the ſame time and place, where they ſhall underſtand his Majesties pleaſure : You muſt also give notice that all ſuch men who appeare that day to be employed for his Majesties Service, be of the protestant Religion ; neither muſt you fail to be here your ſelves, and to bring along with you a Schedule of the names of all thoſe to whom you have given ſuch warning, that thereby an accompt may be given of your ſervice herein, and his Majesty be truly informed of all thoſe who give due and ready obedience to theſe his Summons and Commands. Fail you not hereof at your perill, in a buſineſſe ſo much concerning his Majesties Service
Dated at *York* the 30 of *June*, 1642.

To all Conſtables, Head-Conſtables, Bailiffs of Liberties, and Wapentakes, their Deputy or Deputies, within the County of York, And to all other His Majesties loyall Subjects whom it may concern.

To the Kings most Excellent Majesty.

The humble Petition of Captain William Booth of
Killingholme in the County of Lincolne.

Sheweth,

THat whereas upon Wednesday, the eighth day of *June* instant, the trained Bands of the Division of *Caster* Sessions, were summoned by *Francis* Lord *Willoughby* of *Parham*, and the Committee, to appeare at *Caster* before them, contrary to your Majesties proclamation; Your petitioner being there, was informed against by one *Francis Fields* and *John Barnard* for reading Your Majesties said proclamation, and sent for, and delivered to a Messenger, and disarmed to his great disgrace in the presence of his owne Souldiers, and to the great disheartning of the Countrey from your Majesties service; which said Proclamation was sleighted, and termed a seditious Pamphlet by Sir *Christopher Wray*, who called himself Captaine of the said Company, which your Petitioner commands under your Majesty; and told the Souldiers hee would live and die with them, and would gladly know who durst oppose their proceedings: further saying, That hee heard that the Earle of *Lindsey* was to be there that day, whom he would be glad to see, for they had a Messenger ready to receive him. All that your Petitioner was then charged with, was, that he had said the day before, That there was a brave appearance of the Trained Bands at *Lincoln*, of some fifteen or sixteen; which was interpreted to be an affront to their proceedings, and was threatned to be further charged at *Lomb.* the next day with businesse of a high Nature, and to have witnesses produced against him face to face; which said witnesses never appeared, your Petitioner being all this while under commitment contrary to Law, which being offered to be argued in point of Law by Sir *Gervase Scroop* in the behalf of your Petitioner: it was answered by Sir *Christopher Wray*, That they came thither, neither to dispute the Law, nor to be taught the Law, nor did value the Law, but must observe the Orders of the House; sufficient baile being offered was utterly refused, your Petitioner being still under commitment, and commanded to wait their further pleasures at *Horn-castle* the next day; where, being able to prove nothing against him, they released him.

Your Petitioner therefore humbly desireth, that your Majesty would be graciously pleased to call these men to answer their contempt against your Majesty, and to make satisfaction to your Petitioner for the injury and publique disgrace they have put upon him;

And your Petitioner will duly pray, &c.

York,

York, 30 Iunii, 1642.

His Majesty hath expressly commanded me to give this
His Answer to this petition.

That it is not at all strange to Him, That those persons who have ventured to assume a command over the *Militia*, (a Right of His never before separated from the Crown) by direction from those who pretend to this power by the Fundamental Laws, and yet vouchsafe not to shew any one clause of any one Statute, or any one president of any time, which might seem, with the least colour, to give them that Authority, though He hath often pressed them to it, and as little vouchsafe any Answer to the Statutes, or to those multiplyed and perpetuall presidents, which clearly and palpably declare that Authority to be in Him, should use that Authority with as much injustice as they have assumed it; And not onely term His legall Proclamation a Seditious Pamphlet (since it is most certain, that if that be not, then they are most seditious) but contrary to the Law of the Land, both ancient and modern, both to *Magna Charta*, and to the Petition of Right, vex and imprison His good Subjects for a legall obedience to His Legall commands, or a Legall disobedience, or disrespect to their illegall Orders and Actions; since He often before foretold, that their Contempt of His Regall Rights and Prerogatives, which are the guard of his Subjects Liberties, would in short time encourage them to destroy those too, when that which should guard them were once destroyed. And as little doth His Majesty wonder that the Insolence of thus violating ancient and knowne Laws should encourage them to that using words proportionable to their actions; and professing (with great truth and ingenuity) that they value not the Law. His Majesty nevertheless (not following the example of other men in concluding any thing before examination) is resolved to have the truth of these Allegations legally examined, and if (as is very probable by the annexed *Affidavit*) they be found true, to provide by all Legall ways, That both His Majesty and the Petitioner may receive full satisfaction for the injuries done to both, and to the Law of the Land; His Majesty professing it the principall Reason of his desire to have justice in the like matters done to Him, that (His just Authority being no longer scorned and vilified) He may be enabled to see it done to others, and that his good Subjects, who are wisely carefull to defend the Law (which is their common Birth-right, and to which onely they owe all they have besides) may not (by unjust and intolerable oppressions) be made Martyrs for it.

Edw. Nicholas.

Cap-

Captain William Booth of Killingholme, and William Scroop of Little Coats, in the County of Lincoln Gentlemen, make Oath, That the Petition delivered by the said William Booth unto his Majesty. concerning the imprisonment he suffered by the Command of Francis Lord Willoughby of Parham and the rest of the Committees of Parliament for the Countie aforesaid and all the Actions and Passages therein expressed are most true, in that manner and forme as therein is declared.

Jurat. coram me in Cancellaria Magistro. Decimo Octavo die Junii, Anno Domini, 1642.

W. Wentworth.

FINIS.

**A Declaration of the Lords and Commons assembled
in Parliament upon the Statute of 5 H. 4. wher-
by the Commission of Array is sup-
posed to be warranted.**

VVHereas information hath been given to the Lords and Commons assembled in Parliament that a Commission hath lately issued out under the great Seal of England, directed to the Earls of *Huntington* and *Devon*, *Henry Hastings* Esquire, and others, commanding them to array all men within the County of *Leicester*, according to their estates and abilities, and to charge them with armes at the discretion of the Commissioners, or any three of them; And to distrain all those that are able either in lands or goods to finde armes, and such as by reason of impotency are not able to serve in person to finde men at arms, according to the quantity of their lands and goods; and all such persons so arrayed and armed to cause to be trained and exercised at the pleasure of the said Commissioners, or any three of them, and the persons so arrayed to draw to the Coasts of the Sea, or elsewhere. and such as shall oppose or contradict the same Commission, to commit to prison, and there to detaine them untill they shall be delivered by Law. And the said Lords and Commons are further informed, that together with the said Commission, a Letter under his Majesties Hand was directed to the said Commissioners, declaring the legality of the said Commission to be grounded upon a Statute made in the 5 H. 4. not printed, with further instructions to the said Commissioners for putting the same Commission forthwith in execution: and that divers Proclamations did issue
forth

forth, endeavouring to justify the legality of that Commission. The tenour of which Commission, you shall finde in folio 346, the Letter in folio 344, the Proclamation and Statute, in folio 372.

The said Lords and Commons are much aggrieved, and do thinke it strange that his Majesty being still misled by the suggestions of evill Counsellours after so many Declarations and solemne Protestations made to his Parliament and people, of his Resolution to rule and governe by the Laws of the Land, and to keep and mayntain the same: And after so many Declarations made by both Houses of Parliament, of their loyalty and fidelity to his Majesty, and of their faithfull endeavours for the preservation of his Majesties honour and safety, and for the welfare, peace, and happinesse of this Realme, should now be drawn to issue out such a Commission, so contrary to the Laws, and so full of danger and inconveniency to all his Majesties Subjects, which if admitted will be a heavier yoke of bondage upon the people then that of Ship-money, or any other illegall charge which hath been taken away this Parliament. And for that it is pretended that the said Commission is warranted by the said Act of Parliament made in the fifth yeer of King *Henry* the Fourth, The Lords and Commons have taken the same into consideration, and finde that the said Act of Parliament is no ground to warrant that Commission or any other Commission of that nature, and for the more cleer manifestation of the truth thereof, they have caused that Act, as it is entred upon the Record, to be herewith printed, and to declare the Reasons of their Resolutions herein.

By the preamble of that Statute it doth appear, that the sole end thereof was to put out some clauses and words inserted in the Commission, that were grievous and dangerous for the Commissioners, as appeares by these words in the beginning, *viz.* For the many forfeitures and divers other clauses and words comprised in the same, which were very grievous and hurtfull for the Commissioners named in the same Commission in divers Counties of *England*, &c. and these words in the latter end. And that none of the said Commissioners, their Heires, Executors, or Tenants, by reason of any forfeitures or penalties, or any other things comprised, be or hereafter be any way molested, grieved, endamaged, or impeached in any time to come, &c. and the clauses that were cancelled and put out of the said Commission, were only such as concerned the Commissioners, which appeares by comparing the Commission corrected by the Commons with the Commission that then was issued out, which is entred upon the patent Roll, *5 H.4. par. prima M.28. dorso* of which the Commons had a copy delivered unto them, and the clauses contained in the copy delivered them, and cancelled by them were these, *scilicet, Et ad nos & consilium nostrum de numero huiusmodi hominum ad arma & hominum armatorum & sagittariorum nec non de*

toto facto vestro in hac parte sub Sigillis vestris, vel alicujus vestrum citra O. Tab. S. Hillarii proximi futur. distincte & aperte certificand. sub forisfactur. omnium que nobis forisfacere poteritis & prout vospis respondere volueritis de damnis & periculis, si que per vestrum defectum & negligentiam (quod absit) eveniunt. Then in the conclusion, *Scientes pro certo quod si periculum vel damnum regno nostro pradio in partibus illis per inimicos nostros pro defectu arraiaionis & defensionis & Ductionis huiusmodi ex tunc (quod absit) evenerit, defectum & periculum huiusmodi vobis & negligentia vestra volumus & debemus reputare & penitus assignare.* And their prayer in conclusion was, that thereafter no Commission of Array might issue out otherwise, nor in other words then were contained in the said copy, and that the Commissioners, their Heirs, or Tenants might not be molested or troubled. So that it is to be observed, the Commons did not desire any amendment or declaration, as to the power of the execution of the Commission, which surely did most concern them and the Kingdom; But touching that, they very well knew that by the Law of the Kingdom, and divers Acts of Parliament then in force, no such power could be exercised over them. For the Statute of *Winchester* made the 13 E. 1. then in force, did declare the certain proportion of arms every man was to have according to his estate in lands or goods, and the times, and how often their armes were to be viewed, and by whom, and in what manner their defaults were to be punished. The Statute it self followeth in these words, *viz.* And further it is commanded, that every man have in his house, harnesse to keep the peace, after the ancient assize, that is to say, every man betwixt 15 years of age, and 40 years shall be assessed and sworn to armour according to the quantity of their lands and goods, that is to wit, from 15 pound lands and goods 40 Marks, that is to wit, and Hawberk, a Brest-plate of Iron, a Sword, a Knife, and an Horse, and from ten pound of lands, and twenty Markes of goods, a Hawberke, a Brest-plate of Iron, a Sword, and a Knife: and from five pound lands, a Doublet, a Brest-plate of Iron, a Sword and a Knife: and from forty shillings lands, and more unto five pound of land, a Sword, a Bow and Arrows, and a Knife: and hee that hath lesse then 40 shillings yeerly shall be sworne to keepe Gyfarms, Knives, and other lesse weapons: and he that hath lesse then 20 Marks in goods shall have Swords, Knives, and other lesse weapons: and all others that may, shall have Bows and Arrows out of the Forrest, and in the Forrest, Bows and Bolts: and that view of Armour be made every yeere two times: and in all Hundreds and Franchises, two Constables shall be chosen to make the view of Armour: & the Constables aforesaid shall be present before Justices assign'd for such default as they doe see in the Countrey about Armour: and of the suits Towns and of Highways. And also shall present all such as doe lodge strangers

strangers in uplandish Towns, for whom they will not answer. And the Justices shall present also at every Parliament unto the King such defaults as they have found, and the King shall provide remedy therein. And from henceforth let Sheriffs take good heed and Bayliffs within their Franchises, and without, be they higher or lower, that have any Bayliwick, Forrestry in Fee, or otherwise, that they shall follow the Cry with the County, and after, as they are bound to keep Horses, and Armour so to doe. And if there be any that doe not, the defaults shall bee presented to the Justices assigned and after by them to the King as before is said, and the King shall provide remedy. And the Statute made in the first yeer of *E. 3. cap. 5. Stat. M. 29.* which followeth in these words. *Item*, the King willeth that no man from henceforth shall be charged to arme himselfe otherwise then hee was wont in the time of his Progenitours Kings of *England*, and that no man be compelled to goe out of his Shire, but where necessity requireth, and sudden comming of strange enemies into the Realm; and then it shall be done as hath been used in times past for the defence of the Realme, declares the Law to the same effect with the former, for here it is declared, no man can be charged with Arms otherwise then as in time of the Kings Progenitors, or compelled to go out of his County, but in case of actuall invasion. And to the same effect is the Statute made 25 *E. 3. cap. 8.* which followeth in these words. *Item*, it is accorded and assented that no man shall be constrained to finde men of Armes, Hoblers or Archers, other then those which hold by such services, if it be not by common assent or grant made in Parliament, for that is contrary to the Law of the Realm.

And by another Act of Parliament made 4 *H. 4. cap. 13.* the former Acts of 1 *E. 3.* and 15 *E. 3.* are all confirmed as may appeare by the Statute taken out of the Parliament Roll it selfe, because that the printed Book doth not fully recite it, which followeth in these words, *viz.* To the thrice Excellent, thrice Renowned, and thrice gracious Sovereigne our Lord the King, wee your poore Commons pray, that the Statute made in the first yeere of the Reigne of the Noble King *Edward* your Grandfather, containing, that none shall be distrained to go out of their Counties, but only for the cause of necessity of sudden comming of strange enemies into the Realme. And the Statute made in the 18 yeer of the Reigne of the said Grandfather, That men of Armes, Hoblers and Archers, chosen to go in the Kings service out of *England*, shall be at the Kings wages from the day they doe depart out of the Counties where they were chosen. And also the Statute made in the 25 yeer of the Reigne of the said Grandfather, that none be compelled to find men of Arms, Hoblers, nor Archers, other then those which hold by such services, unlesse it be by common assent, and grant made in Parliament, shall be firmly holden and kept in all points safe with-

without being broke in any manner; And that none of us the said Commons be distrained to go into *Wales*, or elsewhere out of the Realme, contrary to the forme of the Statutes aforesaid. And that all the Commissions and Writs made contrary to the said Statutes, and all the Indictments, and Accusations, Obligations, and tyes made by colour of the said Commissions or Writs with all their Dependancies and circumstances thereof, may be revoked, cancelled, quashed and disanulled for ever, as things made against the Law, and that they may not be taken for an example in time to come; And if any of your liege people be imprisoned by force of the said Indictments or Accusations, that they be presently delivered and the said Indictments held void. The King consenteth to this law with this, that always by force or colour of the said supplication, nor of any Statute thereupon to be made, the Lords nor any other that have lands or possessions in the Country of *Wales*, or in the Marches thereof shall in no wise be excused of their services & devoiers due of their said lands and possessions, nor of any other devoier or things whereto they or any of them be especially bound to our said Lord the King, though that the same Lords and others have other lands and possessions within the Realme of *England*; nor that the Lords or other of what estate or condition soever they be, that hold by Esuage or other Services due to the King any lands and possessions within the said Realme, be no way excused to do their Services and Devoirs due of the said lands and possessions; nor that the Lords, Knights, Esquires, nor other persons of what estate or condition they be, which hold and have of the Grant or Confirmation of our said Lord the King, Lands, Possessions, Fees, Annuities, Pensions, or other yearly profits be not excused to doe their Services to Our Lord the King, in such manner as they are bound, because of the Lands, Possessions, Fees, Annuities, Pensions, or Profits aforesaid. So that the Statutes before mentioned were all confirmed by the Parliament held not full one yeere before this Statute of 5 *H. 4.* And by these Acts, it cleerly appeareth, that the King could not by the Law give power to impose Arms upon the Subjects, or to compell them to be drawn out of their Counties; and therefore the Commons of the Parliament of 5 *H. 4.* many whereof very probably served in the immediat Parliament before when the Statutes aforesaid (was confirmed) knew very well that the Commission of Array, then presented unto them could not bind them that had the Law, and strength of so many Acts of Parliament to protect them. But because the former Act of Parliament did provide Remedy only for the persons that were to be commanded, and not for the Commissioners that were to put those commands in Execution, upon very great pains the Commons, for the indemnity of those persons who under colour of those Commands might probably be troubled and vexed by Fines or Imprisonments,

sonments, thought it necessary to secure them aswell as themselves, and therefore prayed that the penall clauses touching the Commissioners might be put out. And though many Commissions of Array did afterwards issue forth in the times of *H. 4. H. 5. and H. 6.* Yet did not any issue out agreeable in words and manner with that corrected Commission, as may appeare by the Patent Rolls of those times, and the very next Commission that issued out 5 *H. 4.* which was in time 6 *H. 4.* and is entred upon the Patent Roll 6 *H. 4. M. 15 Dorso.* did not agree either in word or matter with that of 5 *H. 4.* and most of the Commissions that afterwards issued vary from that even in substance. And surely had it bin conceived in those times that the form of the Commission agreed upon 5 *H. 4.* and there entred had beene by that Parliament enacted, they would not have issued out so many Commissions; especially in 6 *H. 4.* being the next immediate yeer, of different words and different matter, which cleerly made them void by that Statute of 5 *H. 4.* for the Statute doth ordain them no Commission of Array, should then after issue out otherwise, or in other words, then the Copy agreed upon, whereby all Commissions in other words or other manner issued would be void, and not warranted by that Law, had it enacted that Commission, And that the Law then was, that no other person could be compelled to furnish and provide Arms and Horses, and go out of his County, otherwise then is declared by the afore-recited Acts of Parliament, doth not onely appeare by those Statutes, but by severall Acts of Parliament made after 5 *H. 4.* The Statute made in the fourth and fifth yeere of *Philip and Mary, cap. 2.* Repeals all former Statutes concerning the finding of Arms, and all penalties and forfeitures touching the same, And by that Act settled the proportions of Men, Horses and Armes that every man was to finde, according to the value of their respective estates, and sets down the penalties and forfeitures of such as should disobey, and this Law continued in force till the first yeer of King *James.* But by Statute made that yeer, *Cap. 25.* the last mentioned Statute of 4 and 5 *Philip and Mary,* (probably because of the great proportion of Arms it did impose) was Repealed, and by that Repeal the former Statute of 13 *E. 1.* was againe revived, for that the Statute of 4 & 5 *Ph. & M.* that had Repealed that Law was Repealed, and afterwards in the Parliament, 21 *Jac. cap. 28.* the Statute of 13 *E. 1. cap. 6.* and of 33 *H. 8. cap. 5.* were both of them Repealed. And then admitting the Commission of Array as to finding of Arms *juxta statum & facultates* to be established by 5 *H. 4.* which might have some colour to be legall, as to that part for finding of Armes grounded upon the Statute of 13 *E. 1.* for that Statute which then was in force did enact the finding of Armes *juxta statum & facultates* in manner as there is expressed, yet when that Statute of 13 *E. 1.* is Repealed, then that Commission

is likewise Repealed & become unwarrantable, now it is not probable that the Parliament of the first of King *James* would have Repealed the Statute of 4 & 5 *Ph. & M.* and that of the 21 year of K. *James* would Repeal the Statutes of 13 *E. 1.* & 33 *H. 8.* which in a moderate manner did proportion the Arms every man was to find in certainty, and suffer an Act of Parliament to continue, that did establish a power in the King without limitation not only to impose Arms but to command the persons of the Subject at pleasure, for such is the power of the Commission of Array, and they had shewed very little care of their own and the Subjects Liberty, in the Parliament of the first year of King *James* to Repeal the Statute of 4 & 5 *Philip & Mary*, that had Repealed all former Statutes penalties and Forfeitures touching finding of Arms, whereby (without question) the Commission of Array admitting it to be established by Parliament was Repealed, and thereby to revive the power of that Commission which would have subjected the people to far greater bondage. And surely had the Commission of Array been authorized by Act of Parliament, whereby power is given to charge all sorts of men without distinction with Armes at the discretion of the Commissioners, without limitation; and to train and exercise at pleasure without Restraint either of time or place, It was to little purpose to make the Statute of 4 & 5 *Ph. & Mary*, cap. 3. whereby the penalty of ten days imprisonment, or the payment of forty shillings, is imposed upon such as doe not appeare at Musters being summoned thereunto by the Kings Commissioners authorized for that purpose; and the Commissions of Lord Lieutenants and Deputy-Lieutenants so grievous to the People, and declared illegall in Parliament, had not been so often issued and so much pressed upon them, if the Commission of Array not much differing from it in power, and not at all lesse grievous to the Subject, might by the warrant and authority of the Laws of the Realm have supplied their room. But if all that hath been said had been omitted, the illegality of this Commission is sufficiently cleared by two Statutes made in the Kings Majesties Reigne that now in the one being the Petition of Right confirmed this Parliament, and the other enacted this present Parliament. For in the Petition of Right the Lords and Commons doe amongst other things set forth that by the good Laws and Statutes of this Realm the Subjects have inherited this freedom that they should not be compelled to contribute to any Tax, Tallage, Aide, or other like charge not set by common consent in Parliament, then they complain that divers charges have been layed, and levied upon the people in severall Counties by Lord Lieutenants, Deputy Lieutenants, Commissioners for Musters, Justices of Peace, and others, by command, and directions from his Majesty, or his Privy Councill, against the Laws, and free customes of the Realme, so that the Law there declared, was that none could be compelled to contribute to any

Tax, Tallage, Aide or other like charge, but by consent in Parliament : The breach of that Law to be for that divers charges were laid upon the people by Lords Lieutenants, Commissioners for musters, and others by command or direction from his Majesty, which comprehends the case in question, For here is a Tax or Charge imposed upon the people by compelling them to find Armes ; This Charge is imposed by command and directions from his Majesty, for it is by Commission under the great Seale, and all this without the consent of the Lords and Commons in Parliament, so within the words of the Petition of right, and it is very well knowne, and it doth sufficiently appeare that the charges there mentioned to be layd by Lords Lieutenants, and deputy Lieutenants were the charging of the Subjects with Armes, against Law, by colour of their Commission from his Majesty, The other Statute made this Parliament intituled an Act for the better raising, and levying of Souldiers for the present defence of the Kingdomes of *England*, and *Ireland* In the preamble declares in these words, *viz* Whereas by the Lawes of this Realm none of his Majesties Subjects ought to be impressed; or compelled to goe out of his County, to serve as a Souldier in the wars except in case of necessity, of the sudden comming in of strange enemies into the Kingdome, or except they bee otherwise bound by the Tennor of their Lands or possessions.

And that this commission is directly contray to this Declaration is so evident that it requireth no application : So that upon the whole matter the state of the case in question stands thus.

By divers acts of Parliament made in the times of King *Edward* the first, King *Edward* the third, and confirmed by a Statute in the fourth yeare of *Henry* the fourth, the subject was not compellable to finde any other Armes then was declared by those Statutes, or to goe out of their county, but in case of a tuall invasion by forraigne enemies. And by any expresse clause of the said Statute of confirmation, none of the people were to be distreined to goe into *Wales*; or else where against the forme of the said statutes : And that all the commissions and writs made contrary to the said Statutes, and all Indictments, Accusations, Bonds, and things done by colour of the said commissions, or writs, with all their dependancies, and circumstances should be revoked, cancelled, quashed and made void for ever, As things done against the Law, and that they should not be drawne in example in time to come : Then in *October* following divers Commissions expressly contrary to those statutes issued out to severall counties of this Realm, in *Hilary* Terme next following that *October*, another Parliament was called, and then a copy of that commission was delivered to the Commons, who complained onely of divers dangerous clauses contained in the same that concerned the Commissioners, for whom no provision at all was made by any the former Acts of Parliament, and those clauses onely

only put out by the Commons, who desire that no Commission hereafter should issue out otherwise, or in other words then are contained in the said Copy, but take no further care of themselves, knowing very well that as to the power of charging them with Armes, Trayning, and exercising of them, and commanding them out of their Counties, the same was sufficiently provided for the Parliament before, being all within the compasse of a year, for that Parliament was summoned in *Michaelmas*, the fourth *Henry* the fourth. And it is to be observed that the Commission of Array awarded before that Parliament, was at or about the very time the Kingdome was invaded by forraigne enemies, The *French* having assaulted the Isle of *Wight*, and burned *Plimouth*, and the *Scots* having entred the North parts of this Kingdome, which probably was the reason the Commons did not complaine against the issuing of that Commission: But as they doe not complaine, so doe they not give it any establishment by Parliament, and the Law thus continued untill the fourth and fifth *Philip* and *Mary*, which repeales all Statutes touching the finding of Armes, and provides for it in a speciall manner, then that Statute of *Philip* and *Mary* was repealed, 1 *Iac.* whereby all the former Lawes were againe revived: Then the Statutes of 13. *Edward* the first, and 33. *Henry* the eighth were repealed by 21 *Iac.* So that the pretence of the legality of the said Commissions endeavoured, to be justified by the afore mentioned Proclamation, doth now appear vain and unwarrantable: And though by the said Proclamation it is alledged, that the power of granting such Commissions for the defence of the King, and Kingdome, is inherent in the Crowne, and warranted by presidents of the like Commissions in all ages, both before and since *Magna Charta*, The Penner of that Proclamation must produce those presidents, and make void divers Acts of Parliament herein before cited that prove the contrary, or surely he cannot expect to bee believed: It is true some presidents hee may produce of Commissions of Array before 5. *Henry* 4. for divers issued out in divers Kings raignes, and for the most part they were warranted by particular Acts of Parliament, for 13. *Ed.* 3. It appeareth by the alm. Roll m. 8. 15, 16. *Dorso*. That divers Commissions of Array did issue, but those Commissions were warranted by an Act of Parliament made that yeare for that purpose, as appeares by the Parliament Roll 13. *Ed.* 3. p. 2. *N.* 29. And the next yeere after, divers Commissions of the like nature did issue forth, and a speciall Act of Parliament to warrant the same as appeareth by the Parliament Roll. 14. *Ed.* 3. p. 2. *N.* 36. 41. And in the Roll of *Scotland*, 14. *Ed.* 3. *N.* 6. 22. 47. 50. 53. 54. and 14. *Ed.* 3. *M.* 2. *dorso*. But how far this may warrant the legality of the Commission in question, let the world judge, neither can hee finde any opinion of Sir *George Crooke*, or Sir *Richard Hutton* in their Arguments of Master *Hampdens* case, to prove the

the legality of the commission in question : And it is much wondred how the penner of that Proclamation, can warrant that commission by the statute of 4. and 5. of *Philip and Mary Cap. 3.* or where in that statute he finds any power to compell men against their wills to provide Armes to traine, and muster at pleasure, to be commanded out of their counties, and to be imprisoned during pleasure : It is true by that Statute it is ordained, That if any person shall be commanded to muster before any person authoris'd for the same by commission from the King, do absent himselfe or do not bring with him his best furniture, or Array as he then shall have in readinesse, he shall be imprisoned for 10 daies, or pay 40. s. But the power to charge him with Armes, or to command to exercise, and traine, or to imprison him for his disobedience, during pleasure, the penner of that Proclamation must finde some where else, for he cannot finde it in that Statute, upon all which it followeth, that the commission of Array now lately issued forth is not warranted by any Act of Parliament ; is contrary to the Law, and customes of the Realme, destructive to the liberty, and property of the subje.ʒ, contrary to the Petition of right, and the said Statute made this present Parliament.

Rotulas Parlamenti tent. apud Westmonasterium in Crastino Sancti Hillarii Anno Regni Regis *Henrici* quarti post conquestum quinto.

Touchant la Commission de Larraie 24.

Item touchant la commission de Larraie pur les plusours forfaitures & autres diverses clauses & paroles comprises en ycell q^o seurent tropp grievoules damageoules & perilloules pur les commissioners nomez en mesme la comission es diverses countees Dengleterre dont la copy fust liverree as ditz cōes pur ent estre advisez. & de le corriger solonc. leur ententions mesmes les cōes eue sur ceo deliberation & advys firent canceller certainis clausis & paroles comprisez, en ycelle & prierent au Roy q̄ desore enavant null comission de Larrai isseroyt autrement, ne autres paroles que nest continuz eu la dicte. copie & q̄ des ditz comissioners lur heirs Executor-on terre tenants percause daucuns forfaitures on peynes ou aucons autres choses comprisez & la dic. comission soyt ou soient desore au corēment lolesclē grevez endamagez ou empesches en aucun tempes advenir quel prier nostre dit. Seg^r. le Roy de Ladvis de S^{rs}. ene sur communication ouesque les Iudges du Roialme molt graciosment ottoire en Parlement de quel copie le tenure sensuite encestes paroles.

Touching the Commission of Array 24.

Item, Touching the Commission of Array, for the many forfeitures, and divers other clauses and words comprised in the same, which were very grievous, hurtfull, and dangerous for the Commissioners, named in the same Commission, in divers Counties of *England*; the copy whereof was delivered to the said Commons, to be thereupon advised, and to correct it according to their intentions: The said Commons having had deliberation, and advice upon it, caused certaine clauses and words comprised in the same, to bee cancelled, and prayed the King, that hereafter no Commission of Array issue out, otherwayes, nor in other words than are contained in the said Copy; and that none of the said Commissioners, thier Heires, Executors, or Tenants, by reason of any forfeitures, or penalties, or any other things comprised in the said Commission, be, or hereafter be any wayes molested, grieved, indamaged, or impeached in any time to come: Which prayer our Lord the King, by the advice of the Lords, having hereupon communication with the Judges of the Kingdome, most graciously granted in Parliament: Of which Copy the Tenor followeth in these words: *Rex. &c.*

Dilectis & fidelibus suis, Thomæ Sackvill, Johanni Castellon, Johanni Reynes, Johanni Terringham, Rich. Darches, Will. Molins, Joh. Boyle, Edm. Hampden, Simoni Darches, Rogero Dayrell, Rog. Cheyney, Edm. Brudenell, Joh. Barton Seniori, & Rich Wyot, ac vic. nostro Bucks salutem; Sciatis quod cum quidem inimici nostri Regnum nostr. Angliæ cum posse non modico presentibus treaguis non obstantibus jam tardè hostilitèr ingressi fuerint, & in diversis partibus ejusdem Regni combusserint nos maliciæ hujusmodi inimicorum nostr. si Regnum nostrum prædict. iterato invadere præsumpserint, quod absque gratia nobis favente divina, resistere, ac pro salvatione & defensione nostri ac Regni prædicti & ligeorum nostrorum, ejusdem disponere, & ordinare volentes, ut tenemur assignavimus vos conjunctim & divisim ad armand. & triand. omnes & singulos homines ad arma & homines armatos, & sagittar. in Com. præd. comorantes intra libertates & extra & ad armari faciend. omnes illos qui de corpore sunt potentes & habiles ad armand. qui de suo proprio habent, unde se ipsos armari possunt, viz. quilibet eorum juxta statum & facultates suas, & ad assidend. & aportionand. juxta avisament. & discretiones vestras, ac etiam ad distringend. omnes illos qui in terris & bonis sunt potentes, & pro debilitate corporum ad laborand. impotentes, ad inveniend. juxta quantitatem terrarum & bonorum suorum, & prout rationabiliter portari poterunt salvo statu suo armaturas hominibus ad arma & hominibus armatis, ad arcus & sagittas ita quod illi qui morabantur seu morari poterunt ad domum suam propriam in patria sua super defensionem ejusdem Regni contra inimicos nostros si periculum eveniat

nias non capiant vadia, nec expensas pro mora sua apud domos suas prædictas,
 & ad dictos homines ad arma ac homines armatos & sagittarios sic arraiatos
 & munitos continue in arraiatione, ut in millenis, centenis, & vicenis, & alias
 prout conveniens fuerit, & necesse teneri & poni faciend. & eos tam ad coste-
 ram maris quam alia loca, ubi & quoties necesse fuerit ad dictos inimicos no-
 stros expellend. debelland. & destruend. de tempore in tempus cum aliquo
 periculum imminet mandand. & Injungend. & ad monstr' sive ad monstra-
 tionem eorundem hominum, ad arma, ac hominum armatorum, ac sagittario-
 rum de tempore in tempus quoties indiguerit diligenter faciend. & superintend.
 ac etiam ad proclamand. ordinand. & diligenter examinand. quod omnes &
 singulos huiusmodi homines ad arma, & homines armati, & sagittarii in mon-
 stris huiusmodi armaturis suis propriis & nō alienis armentur sub poena amissi-
 onis eorundem, exceptis duntaxat illis qui ad expensas aliorum armari debent ut
 prædictum est, & ad omnes & singulos quos in hac parte inveneritis contrarios
 seu rebel' arrestand. & capiend. & eos in prisonis nostris committend. in eis-
 dem moratur. quousque pro eorum partitione aliter duxerimus ordinand. & i-
 deo vobis & cuilibet vestr' districtius quo possumus super fide & ligeancia qui-
 bus nobis tenemini, injungimus, & mandamus quod statim visis præsentibus
 vos ipsos melius & securius quo poteritis arraiari & parari & coram vobis ad
 certos dies, & loca quos videritis magis compotentes & expedientes, & pro po-
 pulo nostro minus damnosos omnes homines in patria commorantes per quos
 arraiatio & munitio huiusmodi melius fieri & compleri poterunt venire & vo-
 care fac' & eos arraiari, armari, & muniti, & eos sic arraiatos & munitos in ar-
 raiatione huiusmodi teneri fac', & insuper signa vocata *Bejyn* poni fac' in locis
 consuetis, per quæ gentes patriæ de adventu inimicorum nostrorum poterunt
 congruis temporibus præmuniri; & eosdem homines sic arraiatos & munitos
 cum periculum imminuerit in defensione Regni & Patriæ prædict. de tempore
 in tempus tam ad costeram maris quam alia loca ubi magis necesse fuerit, duci
 fac', ita quod pro defectu defensionis, arraiationis, sive ductionis dictorum ho-
 minum, vel per negligentiam vestram, damna Patriæ prædict. per inimicos
 nostr. amodo non eveniant ullo modo pro posse vestro. Damus autem univer-
 sis & singulis comitibus, Baronibus, Militibus, Maioribus, Ballivis, Consta-
 bular. Ministris, & aliis fidelibus & ligeis nostris com. prædict. tam infra li-
 bertates quam extra, tenore præsent' firmiter in mandatis quod vobis & cuili-
 bet vestram in omnibus & singulis præmissis faciend. & explend. intendentes
 sint consulentes & auxilantes. & tibi præfat' Vic' quod ad certos dies & loca
 quos ad hoc ordinaveritis venire fac' coram vobis omnes illos in com. prædict.
 per quos arraiatio, assessio & ordinatio melius poterunt fieri & compleri, & il-
 los quos pro Rebellionis sua capi & arrestari contigerit in prisona nostra custo-
 dias, sicut prædictū est. In cujus rei, &c. T. R. apud Westmīnstr. 20 die Octobris.

His Majesties Answer to the Declaration of both Houses
of Parliament, concerning the Commission of Array.
Of the first of *Iuly*, 1642.

HAVING first received, by the published Votes and Declarations of both Our Houses of Parliament, severall informations of evident and imminent danger unto Our Kingdome, *from Enemies abroad, and at home*, and finding that Our commissions of Lieutenancie (although We did since the beginning of this Parliament grant the like for the countie of *Torke* to the now Earle of *Essex* with the privy of both Our houses of Parliament, and without exception from either; and that the same was the means for defence of this Kingdome used in the happy times of that good Queen *Elizabeth*, and Our blessed Father, and confirmed as well by the opinions of Judges and Lawyers, as the universall obedience of the Subjects) were all of them, without hearing any of Our Councell learned, voted illegall, and by Our House of Peers called in to be cancelled. And that thereupon Our Kingdome lay open and exposed to all dangerous attempts without other provision then of a late pretended Ordinance of both Our said Houses; which (being made without Us, and contrary to our expresse will declared, and after it had been twice refused in Our House of Peers, and after the departure of a major part of the Peeres) was so far from being a means to prevent danger, that if it should have been admitted, it would in all probability have been the ready way to confusion, and ruine, as being made in an unparliamentarie, unpresidented, and unjustifiable way, and therefore of a most dangerous consequence, both to Vs and Our people, as well in that particular, as in the Example.

We did therefore, for the avoyding of the perill of delayes and expence of time in disputes, issue forth such Our severall Commissions of Array into Our severall counties, as upon great advice We conceived were not onely secure for, but also might well be most satisfactory unto both Our Houses as being beyond all iust exception in the point of Legality, Danger, or inconvenience, the same having been heretofore most deliberately agreed upon and serled (as We shall herein shew) in, and by the care and wisdom of the Parliament, held in the fifth yeere of King *Henry* the fourth.

And We expected for this our so Princely care of our People, and observance of Our Laws, rather the dutifull thanks of both our Houses then the return of such an Answer or Declaration as causelessly imputes to this Our so well intended and justifiable an act, not onely (upon mis-construction and mis-application of severall Acts and Declarations in Parliament (the tax of illegality, but also marketh it (upon the mis-representation of divers Powers
and

and omission of divers Limitations in Our Commission) with the brand of extreame danger, and inconvenience thereby to Our people, and of an heavier Yoke of Bondage then either that of the late Ship-money. or any other charge taken away this Parliament.

In all which, for the better and further satisfaction of Our well-affected people, and to save them (if possible) from incurring any danger either by obeying that Ordinance, or disobeying our Commissions (in both which We are resolved to require a strict examination and account) We have taken the paines to examine the said Declaration, and the objections therein against Our Commissions.

And for the better understanding of the severall particular doubts which are now raised thereupon, We hold it necessary in the first place. to set forth the true end of these Commissions, with the severall Powers and Limitations thereof which by this Declaration are drawn into question, together with the severall mis-representations thereof in this Declaration.

The Subiects being of three sorts ; Some having good estates and able bodies ; others, being of good estates, but impotent ; others, able of Body, but not in estate : And the service required, being for the necessary defence of our Kingdome in generall in the time of danger.

The Commissioners are to cause those of the first sort to Arme themselves according to their degree and estate, (and serving in Person, they are not bound by this Commission, to find Arms for any others.)

Those who (having estates) are not able to serve in person, are to be assessed, and may be distrained to find Arms for others according to the quantity of their Lands and goods ; But with this Limitation *prout rationabiliter potuerint, & salvo statu suo* ; that is *that they be charged but moderately, and so as they may live still, according to their former condition.*

As for those of the third sort, who are not able to Arm themselves, by this Commission, as it was altered by common consent in 5.H.4. (as it was otherwise before that time) they are not (as to this matter of Arming) meddled withall.

And therefore this part of the Commission, is mis-represented in the Declaration ; Which supposeth a Power given by this commission, to charge all men *without distinction*, with Arms, *at the discretion* of the Commissioners without limitation ; And those that are able, *to find Arms*, and such as are impotent, *to find men at Arms* according to the quantity of their lands and goods ; And also wholly omits the manner of the charging them, which is *to be moderately, and so as they may live still, according to their former condition.*

The Commission having thus, with equality, and indifferency charged Our Subjects with provision of Arms it further provides for their calling together,

training and exercising, not (as it is in the Declaration) generally at the pleasure of the Commissioners without restraint, either of time or place) But that they shall be called together, *ad certos dies & Loca quos videritis magis convenientes & expedites, & pro populo nostro minus damnosos*; At such times and places, as the Commissioners shall thinke to be most fitting and expedient, and least hurtfull unto the people.

And having thus provided, for the Arming and preparing Our Subjects for defence of the Kingdome; In the next place, the Commission gives power to the Commissioners, to lead them to the Sea-coast, or elsewhere, but not at the pleasure of the Commissioners (as may be inferred out of the Declaration) nor without Limitation (though omitted also in the Declaration) But the Commission provides, That they are to be led to the Sea-coast, or elsewhere, *ubi ac quovis necesse fuerit ad inimicos nostros expellend. detellend. & destruend. cum periculum imminet.* At such times and places as it shall be necessary for the expulsion, vanquishing, and destruction of Our Enemies, when there shall be imminent danger. And it further provides, in another part of the Commission. That they shall be conducted; *Cum periculum imminerit in defensione regni & patriam ad Costeram Maris quam alia loca ubi magis necesse fuerit.* In case of imminent danger, for defence of the Kingdome and Countrey from time to time, as well to the Sea-coast, as other places where it shall be most necessary.

And although notwithstanding all these limitations and cautions, it be true, That in this charging of Arms, as also for the times and places of calling together Our Subjects, and of conducting or leading them, and the dangers upon which they are to be so conducted and led, much is left to the discretion of the Commissioners (as it must of necessity in all Commissions, where the places times and occasions of execution of them, depend upon future accidents and circumstances, and cannot be certainly known, or described at the time of the issuing of the Commissions.) Yet neverthelesse it cannot be inferred thereupon, That therefore Our Commissioners have a meere absolute arbitrary Liberty of Will to do what they please. But that if they shall wilfully and unjustly grieve any of Our good Subjects, in exceeding or not observing Our Limitations or Directions, they are, by Law, cleerely punishable by Indictment for the same Nor are, or shall any of Our Subjects so grieved be without remedy or reliefe.

And to the end that every County so far as in Vs lyeth, should have cause to rest the more assured against any evill usage and abuse, By this Commission We have appointed for Commissioners, such as have estates in the severall Counties, and are persons of Honour and Reputation who are not onely engaged to all fairnesse out of their own interest, but also in the concernment of their posterity, Kindred, Alliance, Friends, and Tenants, and the good affecti-

on of their Countrey, which to persons of such Condition as they are, is of a consideration beyond their Fortunes; So that We hope their forwardnesse in undertaking this trouble, for the publike defence, will occasion in Our good Subjects, rather a willing Obedience unto Vs, then the least distrust or lealousie of any of them.

Having thus stated the substance of Our Commission, and prevented that mis-understanding, which this Declaration might have else begotten thereupon; We (in the necessary justification thereof, and vindication of Our own Honour, against those expressions in that Declaration, which so needly do concern Vs (under the Common name of Evill Councillors) as if We had violated Our Laws, even those so lately made; broken Our often Protestations of governing according to Law, and done that which would bring Our people into a slavery) shall now joyn issue with Our two Houses, in every materiall part of their Declaration, both in the consideration of the pretended Danger, Inconveniency, and Illegality.

And herein, first, for the pretended Danger, and Inconveniency so much urged; We deny.

That this Commission is full of Danger, or Inconveniency to Our Subjects, or will bring an heavier Yoake of Bondage then the Ship-mony, or any other illegal charge taken away this Parliament; or indeed, any danger or Inconvenience at all.

And therein we appeale to each good mans conscience and reasonable understanding. In a Kingdom (as this is) which in its fundamentall policy (as well for its own assurance, against the danger of Forraign Aids, as the best use that might be made of great constant Forces (whether forraign or native) must necessarily be defended by it selfe: What other way of defence can be imagined but by the Subject? What more reasonable proportion of charging them can be found? Wherein can the Limitation of the (otherwise Arbitrary) Discretion be bettered? Or how, in any one particular, can a more equall and fitting way be taken for the avoyding the grieving Our good Subjects in their own particulars? Yet withall providing for the defence of Our Kingdom in the generall, then is by this commission?

And We cannot but professe Our wonder, That since (as We shall shew) this very commission, was with so much care, both in respect of the Commissioners and the powers of execution thereof, over the persons to be commanded, allowed, and settled in all points, to the very desires of the people (and that in Parliament) in the fifth yeer of King H. 4. how such Danger, Inconvenience, and Bondage can be by Our two Houses imagined in this act of Ours, without violating that rule so often urged by them, (though not so properly applied to them without Vs) That a dishonourable thing ought not to be imagined of the Parliament. And it is as strange to Vs, that all this should hap-

pen by this commission, and yet that Our Subjects should, for so many years past, have enjoyed so many happy dayes in the reign of *Queen Elizabeth*, and Our Father, both of blessed memory, under the provision of *Lieutenancy*, which is agreed by this Declaration to be little differing from those of the commissions of Array in the Powers.

And lastly, Wee demand, whether the persons appointed over the *Militia* by Our Houses of Parliament, have not, by their pretended Ordinance or Orders, most of those powers; nay, some greater over the Subject, in this matter of the *Militia*, then are in this Commission? and how they themselves can imagine these powers to be of a better nature by their authority, then they are by Ours?

And as to this tax of danger and inconvenience, as in the generall irrid require no answer at all, (though for the satisfaction of Our people, We have therein thus enlarged Our selves) so for that particular of the Yoak of Bondage thereby in making it heavier then that of Ship-money, since they have not shewed in what particulars, We shall say no more but this, That by this commission no money at all comes to Vs or to Our dispose, nor is any money appointed to be raised, but onely *Arms provided*: And the *Arms* which Our Subjects are charged to bear or finde, are to be their own proper goods (which Sir *Richard Hutton*, in his Argument in print against the Ship-money, well observed, and thereby differenced the providing of Arms and payment of Ship-money) and are provided once for all, and not yearly to be renewed as taxes for money might be, and remain in their own custody, and for their own defence as well as Ours.

We shall now proceed unto the next generall issue, touching the pretended illegality of Our commission of Array, and shall justify the legality thereof by *Common Law* and by the practice of former Ages conform to it, and by *Statutes* in the very point against all the severall pretences mentioned in the Declaration, whereunto We shall give particular Answers.

And We shall first begin with the common Law, whereunto the Declaration saith this commission is contrary; and therein affirm.

That this Our Commission is warranted by the very fundamentals of Our Government, and (as We said in Our late Proclamation) the right of issuing thereof is inherent in Our Crown.

For since (as We hope none will deny) the Kingdom must of necessity be ever in readinesse (in time of danger at least) by power of Arms to prevent or suppress Rebellion at home, and Invasion from abroad; and to that end the Subject must be armed and prepared before hand, and conducted after as there shall be occasion; and that this cannot be done without a command or Government, We desire much to know in whom, out of Parliament, (for Parliaments,

liaments are not alwayes, nor can be called at all times, or meet on the sudden) this power can be, but in Vs as the Supream Governour; (as it is in all other States, be the persons of the Governours one or more, according to the form of each State) And can the Supream Governour, according to his duty, and Our Self more particularly, according to Our Oath, otherwise afford Our people that protection which is due unto them in maintaining to them the Laws in the matter of Property and Liberty against private injury or oppression, As well as Our Self, and them, and whatsoever is deer unto any of Vs against Enemies or Rebels, especially the just Rights and Prerogatives of Our Crown wherewith God hath trusted Vs (according to the fundamentall and well-established policy of Our State) as well for the peoples good as Our own honour, both which must be preserved; And will any man say that by calling of Our Parliament, (which is but a meeting of Vs and Our Subjects (and such they continue as well collectively in the two Houses, as they were before singly) and a meeting in its own nature dissolvable at Our pleasure; and though now enlarged by Vs in Time, yet not in Power) We are grown lesse or departed with any thing to them either by way of abdication or communication of Our Royall Power? This upon the common principles of Reason and Government is so obvious to every man, that We shall, for the present, proceed no further therein either by quotations of Acts of Parliament, or other legall authorities (some whereof we have recited in Our late Proclamations) till Our two Houses shall give us some justifiable instance of some good time to the contrary.

We come next to the continuall practice by Vs alleadged (being alone sufficient to declare an originall fundamentall Law of Our Kingdome, or at least by a tacite consent to introduce a Law) and to this purpose We shall shew that the power of *granting Commissions for the defence of the Kingdom in the generall*, whereunto onely We applied and do apply the opinions of *Sir Richard Hutton* and *Sir George Crook* (not meaning therein, as neither in Our Proclamation (as is cleerly mistaken) the present form settled by 5. H. 4. (which We Our selves declared was made upon alteration) though for the substance thereof We might have said so much, and made it good, as it appears by the Marginal Quotations) is warranted by the presidents in former Ages.

See the printed Argum. ntr, fol. 25. & 4. &c.

See 14. H. 3. in the printed Argument of *Sir George Crook*: a Commission to the Bishop of *Rocheſter* and others, and to the Sheriffe of *Kent*, to cause all men

at arms in that County to be sworne, and to asseſſe them what armes they shall find. And divers other presidents there of. Arrays in the times of severall Kings. And see Cl. 14. H. 3. m. 19. Do ſ. the like to other Countie. And 36. H. 3. (as appears in the History of *Matib. Paris* who lived at that time, fol. 864.) *Rex constituit & generaliter per Angliam voce praconia fecit acclamari, missus super hoc brevis ad singulos Comitatus ut secundum praefi-*

finam Consuetudinem armis civibus competenter assignarentur & monstrarentur & conferrentur ut essent sufficientis et competentia secundum cujuslibet facultates. The King caused Proclamations to be made (for in such cases Proclamations declaratory were not conceived in those times to be illegall) and sent Writs into all Counties of England, That (according to ancient custome) arms should be competently assiged (or appointed) for the people: And that they should be (mustred) or shewed and inrolled, that they might be sufficient and competent according to every mans estate. And see Pat. 48. H. 3. m. 3. Dors & m. 7. Dors Cl. 23. E. 1. m. 5. Cl. 25. E. 1. m. 17. Dors. in cedula pendent Pat. 31 E. 1. m. 10 Cl. 16. E. 2. part. 1. m. 13. Dors. Pat. 18. E. 2. m. 21. and Rot. Vascor. 18. E. 2. m. 4. 10 17 Cl. 7. E. 3. part. 1. m. 25. Rot. Scot. 10. E. 3. m. 8. Franc. 16. E. 3. m. 5. Cl. 44. E. 3. m. 22. Scot. 7. R. 2. m. 9. Franc. 10. R. 2. m. 24. pat. 4. H. 4. part. 2. m. 10. Dors. And after the Parl. of 5. H. 4. See pat. 7. H. 4. part. 2. m. 3. Dors. 11. H. 4. part. 2. m. 24. Dors. 44. 5. H. 5. part. 2. m. 37. Dors. Pat. 8 H. 5. m. 17. Dors. Pat. 34. H. 6. m. 8. Dors. Pat. 9. E. 4. part. 1. m. 1. Dors. Pat. 12. E. 4. part. 1. m. 13. Dors. And very many more Commissions of Array in the severall reignes of these Princes. See Lamb. fol. 135. A Law of King Edward the Confessor, *Debent enim universi liberi homines, &c. secundum feudum suum, & secundum tenementa sua arma habere & illa semper prompta conservare ad tuitionem Regni & servitium Dominorum suorum juxta preceptam Domini Regis explendum et peragendum.* And Libr. Rubr. Scaccarii fol. 162. the Conquerours Law in these words, *Statuimus & firmiter precipimus quod omnes Comites & Barones, & Milites & Servientes, et universi liberi homines totius regni nostri praed. habeant & teneant se semper in armis & quis ut decet et oportet, &c.* Upon both which it appears, that every man, as well as the Kings Tenants, ought to have Arms according to his lands, for defence of the Kingdom, at the Kings command And Hoveden. pag 614. in Anno 27 H. 2. *Deinde Henricus Rex Angl. fecit hanc assisam de habendis armis in Angl. &c.* King Henry the second made an assise of Arms for defence of the Kingdom according to the difference of mens abilities farre differing from that in 13 E. 1. And see Matth Paris, fol. 224. A Writ of King Iohn to his son *Omnes liberos homines et servientes vel quicumque sint et de quocunque tenent quia arma habere debeant vel arma habere possint, quod sicut, &c. sint apud Doveram ad descendendum caput nostrum, &c. sub paxi culvertagit.*

And this practice, the Penner of this Declaration doth indeed not deny; for having before confessed the often issuing of Commissions of Array, after 5. H. 4. in the times of H. 4. H. 5. and H. 6. (and he might have brought it to later times, if he had so pleased) he doth afterwards confesse, That divers Commissions of Array issued in divers Kings reignes before 5. H. 4. But as to this point of practice before 5. H. 4. he saith by way of Answer, That for the most part they were warranted by particular Acts of Parliament. And yet amongst so many presidents of severall Commissions, hee gives instances

only of two yeeres in 13. & 14. E. 3. of Commissions of Array then issued, warranted by Act of Parliament. Which, if true, doth no more disprove the legality of other Commissions of Array, constantly issued without a Parliament, then it doth of Commissions of Oyer and Terminer (which at the same time in 14. E. 3. together with the Commissions of Array were appointed to issue: to the same persons) or of any other Act, which the King doth by the advice of His Parliament, though he may doe it without them: Rather it implieth the

Rot. Parl.
13. E. 3.
P. 2. N. 39.
Rot. Parl.
14. E. 3.
P. 1. N. 53.

the legality, and the former usage of such Commissions of Array, in that it appoints such Commissions to issue; but limits not all the particular Clauses or Powers to be inserted therein as a thing known and usuall to be done.

But the truth is, both the presidents do concern the drawing of men out of the kingdom to a forraign War; and so are nothing to the purpose We have in hand. And that of 13. E. 3. is not at all a Commission of Array, but of another nature giving power to the Lord *Wake*, and others to provide moneys, and to cause certain persons there named, who had particularly undertaken the Service of the *Scottish Wars*, *Leur armer & appareiller d'aller vers, Newcastle. To array and prepare themselves to goe. to Newcastle*, (whether they were to bee brought at the charge of the Counties) and to be there at a time appointed.

Having thus set forth the continuall practice of issuing forth Commissions of Array in former ages (whereunto We never found till now, any exception, as for *home defence*) and the absolute necessity thereof, We doubt not but every indifferent Judgement will easily conceive, that this power is a right in Vs by the Common Law. And the rather, when they shall consider, That a Commission of Array having been issued by the King in 5. H. 4. The Commons in Parliament, that yeere, did not except to any part thereof as *illegal*, no, not to the Clauses which seemed heavy over the Commissioners; nor did except at all to *any the powers of execution thereof over the persons to be commanded*, but did acknowledge the Royall assent, for the amendment, and alteration of that Commission into the now present forme, to be an Act of *great grace*.

And herein We cannot but admire that the Penner of this Declaration should urge it as a reason why the Commons in that Parliament of 5. H. 4. complained not for reliefe against the Commission in the powers of execution over the persons to be commanded, because (as he supposeth) they knew that they were so clearly against the late Statute of 4. H. 4. Whereas (if it had been so) they should the rather have complained, because they issued against so late a Statute so cleere in the point, (unlesse the policy and temper of the times bee since much altered) for in a matter of so high a nature as the powers of this Commission, which (as this Declaration confesseth) did surely most concerne them and the Kingdome. They were bound, as well in duty, as discretion, to have sought remedy against so great a violation of the Law and Liberty; and the rather at this time, when they thought fit to petition against part of the Commission, since an exception but to a part, especially by him, who ought to complain against the whole, is a violent presumption of his allowance of the residue.

We come now more particularly, to the examination of this Our Commission as it stands by Statute Law, and herein (as in the matter principally insisted upon in the Declaration to be disproved) We do affirm, as formerly in Our Proclamation.

That this Our Commission is warranted by Parliament, in 5. H. 4.

And to this purpose, We do observe; that this Declaration, doth confesse; That the Record in the Parliament of 5. H. 4. concerning the commission of Array, is an act of Parliament; and that the Question is now, onely about the meaning thereof, Whether the Parliament meant thereby, onely to take away *some penall Clauses touching the Commissioners* (as the Declaration affirms, to which purpose, onely it alloweth it for an act) or else to fetter also *the Powers of Execution thereof, over the persons to be commanded*, as We affirm.

And therein (as We do agree) that at the first, the complaint of the commons, was onely in respect of *some Clauses and Words therein, which were Grievous, and Dangerous to the Commissioners*: So it cannot be denyed, but that afterwards the copie of the commission so complained of, was delivered by the King to the Commons, with an expresse Generall Liberty (without any restraint) to correct it according to their own minds, and thereupon the Commons did make use of that further Liberty, and corrected the Copy, in divers materiall Clauses, and Words which concerned *the Powers of Execution*, as well as those, which concerned the *Commissioners* (though the contrary be strangely affirmed by the Penner of this Declaration) as may appear more particularly by the clauses following, wholly omitted by him.

1 First, the copie gives power, *ad armari faciend. omnes illos qui de corpore sunt potentes & habiles ad armand. tam illos qui de suo proprio habent unde seipso armare poterunt, quam illos qui non habent unde seipso armare poterunt. To cause to be armed, all those who have of their own whereby to arm themselves, as well as those, who have not wherewith of their own to arm themselves.* Which last clause, concerning the arming of those, who are able of Body, but not in Estate (being such as are by Vs before reckoned amongst the third sort of Our Subjects) is wholly omitted in this commission, as it now stands corrected in 5. H. 4.

2 The copy, as concerning the assessing and distraining of all those who are able in their Estates, but not in their Bodies; goes therein thus, *Ad inveniend. juxta quantitatem terrarum & bonorum suorum, & prout rationabiliter portare poterunt. salvo statu suo, armaturas hominibus ad arma, & hominibus armatis & arcus & sagittas sagittariis sic arrayatis & trinitis. qui non habent armaturas arcus & sagittas de suo proprio, nec unde armaturas arcus & sagittas emere & providere poterunt, & ad contribueud. expensis omnium illorum qui sic laborabunt pro defensione dicti Regni nostri, tam infra dictum Com. nostrum quam extra, quandocumq; indigerint; Ita qd illi qui morabuntur, &c.* For the finding of Arms according to the quantity of their Lands and Goods, and as they may reasonably beare, saving their degree, for men at Arms, and men Armed; and Bowes and Arrows for Archers so Arrayed and trained, which have not Arms, Bows and Arrows of their own, nor have wherewith they can buy and provide Arms, Bows and Arrows; and to contri-

into the expences of all those which shall so labour for the defence of Our said Kingdom, as well within that Our County as without, whensoever there shall be need. All which, as may appeare upon the comparing, is much beyond that Commission of 5. H. 4. as it was entred after the correction.

Vpon these proceedings in 5. H. 4. the corrected Copie being presented to the King, with a Prayer by the Commons; *That from thenceforth forward, no Commission of Array, should issue otherwise, nor in other Words, then was contained in the Copie so corrected, &c.* An Act was thereupon, made by the Kings Royall assent thereunto, by the advice of the Lords.

And thus upon the whole Record it is cleer, That in the literall Sence the commission is fully enacted in the whole; and We do not observe that to be denied in the Declaration. And the art of the Penner seems to be spent onely concerning the intent of the Parliament in labouring to prove, That the commons meant nothing in the Act, but the taking away the penall clauses and words concerning the Commissioners. And the Argument is drawn only from the end of the Statute, which the Declaration saith, was onely for the security of the Commissioners: And this the Penner goes about to prove: First, From the Complaint, as being no more; Secondly, From their amendment of the Copie, as being onely concerning the Commissioners. Thirdly, From the Prayer, being to the same purpose. Fourthly, Out of the occasion, as supposing the Act necessary, on the part of the commissioners, not on the part of the persons to be commanded. Lastly, out of the subsequent practice of issuing Commissions, that there never went out one agreeable with the Copie so corrected.

And herein, to iustifie this Our sence on this Act of Parliament of 5. H. 4. And wicshall to shew the errours, and mistakes of the Declaration in the frame of the Argument to the contrary, the state of the case stands thus briefly.

The Commons complained but against the Penall Clauses upon the Commissioners (which We agree) at first; but afterwards, the King left them at liberty to correct the whole, as they pleased. And now they alter their mind, and do not rest in correction of those Penall clauses upon the Commissioners, according to their first desire, but (as it is plain upon the compare of the Copie, as it was corrected, with the Commission formerly issued, the not observing whereof was the great mistake, that doubtlesse now mis-led Our two Houses) the Commons likewise (as wise men) who would not wave the advantage of a proffered favour from the King, did correct the Commission also in the powers of execution over the persons to be commanded: And thereupon the corrected copie being presented, and the Commons expecting that even presently (for there was then occasion) and often afterwards Commissions of Array would (as they did in truth) issue forth, did pray not onely for the indemnitie of the Commissioners, which

which had been indeed but answerable to the first complaint; But in the first place, they made their Prayer in these words, *That from thenceforth forward, no Commission of Array should issue otherwise, nor in other words then is contained in the said Copy* (so corrected).

This now being apparently the true state of the whole case (cleared from all mistakes) wee think it so plain, that it requireth no further argument to manifest, That the intention of the Parliament, was both to settle the Clauses, concerning the powers of execution, and the Clauses concerning the Commissioners. Thus then We passe over to the Answer of the Objections.

First then, for the first pretence, That the complaint was solely on the behalf of the Commissioners, We agree it to be true, and perhaps the Commons had no further thought at the beginning, nor till after an occasion given by the offer of the Liberty for a Totall Reformation: But then they might desire an alteration accordingly.

For the second pretence (which destroyed, makes an end of the question) That the Commons made no amendment in the powers of execution over the persons to be commanded; It is apparently mistaken, as appears by the particular instances before-mentioned.

For the third pretence of the Prayer (which came not till after the Commission was in all points so as before corrected) That the Commons did not desire any amendment or Declaration concerning the Powers of execution, that is also mistaken; For having made those severall amendments, in the very first place (before any particular desired on the behalfe of the Commissioners) their Prayer is as generall as their amendments, *That from thenceforth forward, No Commission should issue otherwise, nor in other words, then is contained in the said Copy.*

For the fourth pretence, That it was unnecessary to take care of the persons to be commanded, because that the Powers of execution over them were against 1 E. 3. cap. 5. 25 E. 3. cap. 8. & 4 H. 4. cap. 13. and that the Commissions of that kinde, were then so lately damned in 4 H. 4. Wee answer, That if it were so, there was the more necessity for them to complain, as we have shewed before. But in this also, though it be needlesse, We shall herein further cleer Our Commission from those Statutes.

As for the occasion of Relief for the Commissioners more then for the persons to be commanded, We say, the Commons could not but know, that there was no more occasion for the one, then for the other: For the same Law of 4 H. 4. if it had (as is pretended by the Declaration,) expressly damned the Commission as unlawfull in the Powers, that (without more) had apparently, to every common Judgment, sufficiently secured the Commissioners against all Refusals; And in truth, the persons to be commanded, being most of them of
the

the lower sort, had more Reason to feare the Commisfioners, then the Commisfioners, being men of Power, had to fear any trouble by Fine or Imprifonment, or otherwife, from any of the Courts above, efpecially in a time, when Parliaments were fo frequent.

For the laft pretence of contrary practice, Our answer is. Firft, We deny this (which the Declaration affirms) That though many Commissions of Array did iflue out after 5 H.4. yet none of them did agree with it in words and matter: For We fay, That divers Commissions were the very fame, faving in thofe things which were neceffarily, and as of courfe, to be changed, as (amongft others) may be feen in the after times of King Henry the Fourth. See Pat. 7. H.4. part. 2. m. 31. Dorf. Pat. 11. H.4. part. 2. m. 24. Dorf.

And as unto the pretended contrary practice, Wee agree, that it is true. Divers Commissions of Array did iflue out, which doe vary from this Statute of 5 H.4. yet Wee deny that they muft be therefore contrary to it; For (howfoever upon the Commission of 5 H.4. as it was corrected in the feverall Claufes in fuch manner as before) it is enacted that from thenceforth forward no Commission fhould iflue out otherwife then is contained in that Copy, yet it is moft evident, notwithstanding, that the meaning of the Law could never be to tye the King to the very words of that Copy; For then at all times the Commissions muft have begun with *Rev. &c.* and not *Carolus* or *Regina*, and ended with the fame *Teſte* for Time and Place and juſt the fame preamble of danger, be it true or falſe (whatfoever other occaſion had beene) muſt have been meant to be expreſſed; All which are abſurd. And in this, as in all Acts of Parliament, as well as in Wils, the intent cleerly and neceſſarily appearing out of the Act it ſelf, is the Law, which in this caſe was not ſo much to tye to the very identicall words, as *That the King ſhould not iflue out any Commissions of Array which ſhould exceed this which was ſo ſetled by any further penalty on the Commiſſioners; nor in the powers of execution upon the perſons to be commanded;* which ſence appears in this, that in ſuch a caſe it could never have been meant. That the powers of execution of the Commission, being feverall, as to Array, Aſſiſe, Arme, Train, Muſter, and Conduſt, and all theſe not neceſſary on all occaſions, nor always equally fit to be entrusted to the ſame perſons, That the King ſhould be bound at all times unneceſſarily to command the execution of them all, and equally to entruſt the ſame perſons with them all, as he muſt have done in caſe the Act had been literally to be expounded in each title. The truth is, many Commissions did vary, yet ſtill were warranted, as not exceeding that of 5 H.4. in the powers. As ſometimes granting but part of them when there was no cauſe to uſe all; as alſo, ſome varied on the occaſion, as ſometimes providing againſt Invaſion, in this or that part onely, ſometimes more generall throughout the Kingdome:

And

And lastly, it is true that some were upon occasion of Rebellion, for which there is as much cause as against a forraigne Enemy, for those Commissions are not against 5 H.4. which was a president, onely for the power of execution of Commissions of Array (whatsoever might be the necessary occasion to issue them.) And as this particular Commission sent forth in 5 H.4. and thus after corrected, was on the occasion of the feare of the *French*, and therefore was, upon that accident, made onely as against an Enemy; so if according to former practice the like had then issued in case of Rebellion (in which case perhaps Rebellion had been mentioned as the cause) then the suppression of Rebellion might have been inserted in this president, and then the Argument might have been at this day used as well against the warrantableness of this Commission in case of Invasion.

And as to the president of a Commission of Array in 6 H.4. cited in the Declaration as not agreeing with that of 5 H.4. neither in words or matter, We conceive it is in substance warranted by it: For there the King (upon occasion of the *French* being in *Picardy*, ready to besiege some of his Forts there, and hearing that they intended to come to aid the *Welch*, being then in Rebellion) sends out his Commissions into *Kent*, *Somerſet*, and other Counties, to Array, Train, and Arme the Inhabitants there, to the end they may be ready, as well at the *Sea-coast* as *elsewhere*, where and as often as there shall be necessity for the expelling, vanquishing, and destroying of those enemies when there shall be imminent Danger, as in such case had been accustomed. But he thinks not fit to give to them the power of conducting them (which is in the Commission of 5 H.4.

But shortly after, upon information of an intention of the *Welch* to enter into *England*, a Commission issues to Sir *Thomas Barkley* touching some of these counties and others, not to array and arm the inhabitants, for that was done before, but, *ad supervidendum*, to see that they were sufficiently arrayed, according to their estates; and to lead them, as often as it should be needfull for resistance of the Rebels. So that as We conceive, the Powers which were put together in 5 H.4. are here severed, but there is nothing in either commission which exceeds or crosses the Powers setled by the commission of 5 H.4. Though if it did, it might prove the illegality of those, but nothing against the legality of Our commissions.

And if other particular commissions had been produced, and the differences particularly observed. We should have been the better able to have applied Our Answer thereunto; And in the mean time, Wee looke upon all such commissions, as regulated and warranted by this Act of 5 H.4. and in pursuance thereof.

Notwithstanding, if some Commissions can be produced, which are not warranted by the fifth of *Henry* the fourth. Yet that will be no sufficient Argument to prove, That this of the fifth of *Henry* the fourth, never meant to settle the Powers of Execution, for there is no doubt, but in so long a proceſſe of time, ſince the fifth of *Henry* the fourth, There may have been ſome deviations contrary unto the Act, the ſame having not at all times been remembred, as perhaps alſo may be in the Cauſes concerning the Commiſſioners, which yet We are ſure Our two Houſes will not allow as an Argument againſt the force of 5. *Hen.* 4. as allowing it to be an Act concerning them.

We might further adde the opinion of Sir *Edward Cook*, (whole great learning and affection to the Rights and Liberty of the Subject are not unknown) who in his Treatiſe of the Jurisdiction of Courts (being one of thoſe Books ſince this Parliament deſired, or directed by the Houſe of Commons to be publiſhed) expreſſly declares, cap. That this Act, touching a Commiſſion for Arraying and Muſtering of men, is at this day of force. Jurisdiction of Courts,
Court of Chevalry.

But if any man be yet unſatisfied with ſo cleer Reaſons on Our part, and in Our Answers, We ſhall conclude upon him with the Authoritie of the whole Parliament of the ſeventh of *Henry* the fourth, *Rot. Parl. n. 36.* within two yeers after this Our Commiſſion was ſetled, when probably many of the ſame perſons were Members of both the Parliaments; Whereby it appears that this Act of the fifth of *Henry* the fourth, is ſo binding, as unto all the Powers of execution over the Perſons to be commanded, that the Clergy (who in former times had uſed to be Arrayed amongſt themſelves by Writ or Commiſſion to the Biſhop or Archbiſhop) were bound, as within the body of that Commiſſion ſo ſetled by Parliament. And they thereupon, In that very Parliament of the ſeventh of *Henry* the fourth, are excepted out of this very Commiſſion of the fifth of *Henry* the fourth, which is therein mentioned; and it was then enacted, *That from thenceforth the Clergy be not any wayes charged amongſt the Laity for the making of any ſuch Array, nor for any Contribution amongſt the Laity for the ſame.*

Having thus cleerly ſetled this Record of 5. *Hen.* 4. as a full Act of Parliament, as well concerning the Powers of Execution over the Perſons to be commanded, as the taking away of the Penall Clauſes over the Commiſſioners, There is no further neceſſity, as to the matter in queſtion, to conſider whether or no that this Commiſſion in all or any part thereof be contrary to any of the former Acts of 13. *Edw.* 1. 1. *Edw.* 3. cap. 5. 25. *Edw.* 3. cap. 8. and 4. *Hen.* 4. cap. 13. ſo much inſiſted upon in the

DECLARATION. For that in ſuch caſe, the Act of the fifth of

Henry the fourth, being the latter had been a Repeal of them for so much.

Nevertheless, For the further satisfaction of Our people (as being desirous to omit nothing which may be done on Our part for the clearing of the justice of Our Actions) We shall also examine those Statutes so farre as they are made use of in this Declaration.

And therein We professe the difficulty hath been more to finde out then to answer the inference made upon these Statutes. For the Declaration reciteth the Statute of the thirteenth of *Edward* the first, to be a particular Assize (or Assessment) of Arms, both in respect of the *Kinde of Arms* to be found, and the *proportion of the estate* of every man, after which they are to be found, downwards from fifteen pounds in Lands, and forty Marks in Goods. And reciteth the Statute of 1. *Edw.* 3. *That no man from thenceforth shall be charged to arm himself otherwise then he was wont in the time of the Kings Progenitors; and that no man be compelled to go out of his Shire, but where necessity requireth, and sudden coming of strange enemies into the Realm.* (whereupon it is taken for granted, That the Statute of 13. *Edw.* 1. was a provision of Arms for defence extraordinary, and that this Statute of 1. *Edw.* 3. was meant with reference thereunto) And also reciteth the Statute of the 25. year of *Edward* the third, (as to be to the same effect with the former) against the *constraining men to furnish men of Arms, Hoblers, or Archers, without consent and grant made in Parliament*; And lastly, reciteth the Statute of 4. *Hen.* 4. (which confirms those two Statutes of 1. *Edw.* 3. and 25. *Edw.* 3.) And immediately thereupon makes this conclusion which follows; *That by these Acts (not distinctly applying the severall matters to the severall Statutes) it clearly appears, That the King could not, by the Law, give power to impose Arms upon the Subjects (which the Declaration calleth sometimes finding of Arms, sometimes finding men at Arms, all of different senses) or to compell them to be equipped out of their Counties: Which after wards, in Stating the Case, is expressed thus, That the Subject was not compellible to furnish any other Arms then was declared by those Statutes, or to go out of their County, but in case of Actuall Invasion by Forraign Enemies.* Against which this Commission is said to be.

But for our clearer passage in this business, We shall single out the severall Statutes, with the Objections (as We conceive) intended upon each of them.

For the better understanding whereof, We shall distinguish of the principall Terms in this question used in the Commission and severall Acts of Parliament.

First then, as for the words of *Arming a mans self* used in the Commission

(as also in the Act of the first of *Edward the third*) they are literally to be taken for the *providing of Arms for a mans own person*, wherewith he is to serve as a Souldier, either Horse-man or Foot-man, of what kinde soever; And the *finding of Arms for others* in the Commission, is but the finding the bare Arms, without providing the men, and are so to be taken here, (in whatsoever sence they may be taken elsewhere,) as may cleerly appear upon the very reading. And as for the words (*finding of men of Arms, &c.*) which are the words used in the Statute of the 25. of *Edward the third*, they are usually and properly enough taken for the setting forth of Souldiers, the paying of their wages, or contributing towards either of them.

This then being the sence of the words, We now proceed to the Statutes, and apply them to the two objections, The one against imposing Arms, the other against carrying out of the County. And first concerning the Statute of 13. *Edw. 1.*

Thereupon the Objection against the Power of imposing of Arms is this.

This Statute appoints a particular Assize for the Kindes of Arms and Proportions, as before. But our Commission doth give power to assize for the Kindes (*any Arms*) and for the proportions, according to *each mans ability*, (which the Declaration terms to be *without limitation*, and at *pleasure*) and so is contrary to this Statute.

To this We Answer, That that Statute of 13. *Edw. 1.* (besides, that it was but an affirmative Statute) was made only for the ordinary defence of the Kingdom, for the *preservation of the peace* at ordinary times; and was not intended as a provision of Arms for defence extraordinary: but that for the publique defence in time of danger, the King might, and must charge other Arms, and other proportions, according to the exigency of the occasion.

Both which appear together, if We consider that the provision in that Statute mentioned (which might be of use for the Peace) is very insufficient for the Service of Warre: For we cannot but observe the pettiness of the Arms, even according to the use of that time; for he that was rated highest by that Act, was to finde but a *Hawberge* (which in that place signifies a Gorget) a *breast-plate of Iron*, a *Sword*, a *Knife*, and a *Horse*: and others but *gisarms* (which were Pike-staves) *Knives*, and other lesse weapons. And yet at that time there were *men at Arms*, which were Horsemen of compleat Armour, *Hoblers*, which were Light-horse, and there were *Bikes*, *Lances*, *Pole-Axes*, and other Weapons commonly used for Warre.

And no lesse considerable is it to this purpose, That for the charge of this

defence no man of what state soever, is by this Act charged above the rate of *fifteen Pounds in Lands, or forty Marks in Goods*, and he that hath fifteen Pound in Land, or forty Marks in Goods is charged as high as the greatest: which is not to be imagined in case of provision for defence extraordinary.

And to cleer this further out of this, and other Acts; it is plain, that this very Act expresseth it self in these words, *That every man have in his house Harnesse for to keep the peace*: and appoints those who are thereby assailed, to pursue Hues and Cries after Theeves and Robbers, (which went in those times with great strength, and in multitudes) *with their Horses and Armour*. And the old Articles of inquiry upon that Statute, being made in the same Kings reign (and to be seen in the Statute Books) tend only to inquiry touching the keeping the peace: as whether all men betwixt the age of fifteen and sixty, be sworn to keep the peace, and whether they have Weapons in their houses according to the quantity of their Lands and Goods for *conservation of the Peace*, according to the Statute. And the Statute of the second of *Edward the third*, Chap. 6. renews this Statute of the thirteenth of *Edward the first*, in these words: *Item, As to the keeping of the peace in time to come, it is ordained and enacted, That the Statutes made in time past, with the Statute of Winchester, shall be observed and kept in every point*. And strange it were to imagine, That the wisdom of a Parliament, in the matter of arming of the Subject, made no greater or better provision against an *Enemy*, then against a *Theef*, or a *Rogue*. And it is not so proper to charge the Subject at all times in the same manner and proportions as in times of danger.

And lastly, For further cleering this Our exposition of that Statute of 13. *Edward the first*, We say, That although (as We have already shewed) the Commissions of Arrayes did, from the time of making the Statute of 13. *Edward the first*, frequently issue both before and since the Statute of 5. *Henry the fourth*; yet none of those Commissions were regulated by the Statute of 13. *Edward the first*, but either they were (as commonly) for arming them according to mens estates and abilities, without mentioning the Statute of 13. *Edward the first*. Or, where any did expresse the quality and proportion of Arms to be found, They varied from the Statute of 13. *Edward the first*, and appointed other kinde of Arms, and difference and proportioned the estates of those who were to finde Arms, otherwise then is mentioned in that Statute: And sometimes with an expresse Declaration, that the Statute of 13. *Edward the first* was made for the conservation of the peace in a time of peace, when there was no danger of a foreign enemy. And though some use might be made of those Arms appointed

ted by that Statute in time of danger, as well as any other Weapons: yet the same was not that kinde of armour which was principally intended as fitting for su h defence; as may appear by the presidents above cited. And the constant practice in all after ages for defence extraordinary hath ever been with other Arms, and after other Proportions, as We beleeve will not be denied by any man.

We now come to the Statute of 1. *Edward* the third, whereupon the objection stands thus:

That the Statute of 13. *Edward* the first, having made such particular assize of Arms (as before) for the kinds and proportions, this Statute doth ordain, That no man from thenceforth shall be charged to arm himself, otherwise then he was wont in the time of the Kings Progenitors: Meaning (as the Declaration takes it for granted) according to that former Statute of 13. *Edw.* 1.

To this We shall give this Answer: That (as We have proved before) 13. *Edward* the first, was never meant as of a provision for defence extraordinary: and much lesse that the Statute of 1. *Edward* the third, could intend any such thing.

And as the Penner of the Declaration cannot therein shew any expresse reference to that Statute of 13. *Edward* the first, and can, at the most, but barely conjecture it; so on the other side, We shall out of the penning and otherwise upon surer grounds conclude the contrary. For first, in this case, regularly, if not necessarily, (where a latter Statute in the substance and meaning thereof wholly depends upon a former, and must have reference thereunto) the Parliament of 1. *Edward* the third, would have made mention of this Statute of 13. *Edward* the first, (is they did thereof) the next year following, when it was renewed but for keeping of the 2. *Edw.* 3. Peace. Next, in wisdom it was fitting (if so be that they had chap. 6. intended a further re-establishment of the particularities of the kinds and proportions of Arms mentioned in 13. *Edward* the first) that when they had a former Statute so punctuall therein, they should not have thus left us, for a true understanding of their meaning, to a generall enquiry of the particular assize used for Arms in former times.

But on the contrary, The Statute referring to the former usage, in the times of the Kings Progenitors (which being indefinitely spoken, We conceive, must be understood of all Kings times as well before as after 13. *Edward* the first) the usage therein meant is but *Consuetudo Angliæ*, the Common Law: and the Parliament could not, in all probability, in the mention of so ancient an usage intend so late a Statute as this of 13. *Edward* the first, which was but new in the particularity of the Assize, though

ancient in the Rule of charging, according to the quantities of every mans Lands and Goods, the former Assizes having been also different: Nor (considering that of Necessity, the severall kinds and proportions of Arms ever did, and must vary with the times) could they intend, that there ever was, for the times past, or could be for time to come any such constant rule of any such particular assize concerning Arms, whereunto they could refer, as constantly used for the time past, or that might constantly endure for time to come: neither ever was, or can there be any other constant rule, then that generall rule of the Common Law (which can never fail) for the assessing Arms from time to time, for the kinds, according to the present use, and for proportions, according to mens abilities.

And it were very strange, that the Parliament of 1. *Edw. 3.* could conceive, That (for the defence extraordinary) the particular kinds of Arms in 13. *Edw. 1.* especially such petty provisions, could be proper and sufficient at this time in 1. *Edw. 3.* and would so continue afterwards.

And now that We have cleared this first part of the Statute of 1. *Edw. 3.* (as concerning the arming a mans self) that it is not thereby intended, That the Subject should not be charged with Arms, otherwise then according to the Statute of 13. *Edw. 1.* We shall deliver, what Our selves conceive of the meaning thereof; and it is thus.

Towards the end of the Reign of *Edward 2.* severall Commissions of Array issued into severall Counties; in execution whereof the Commissioners had much grieved, and oppressed the Subjects. Infomuch, that upon 11. 19. *Edw. 2.* complaint, speciall Commissions of Oyer and Terminer 2. 17. *Durf.* (usuall in those times) were sent forth for the enquiry after those grievances and oppressions. And although it do not appear what those were, yet since the Complaint was not against the Commissions themselves, as illegall, We cannot conceive otherwise, but that it was against the wilfull exesse of the Commissioners, in the surcharging the Subjects with Arms beyond their abilities of estate to bear (as charging a man as a Horse-man, where it had been sufficient for his estate to have borne Armes as a Foot-man, and the like) contrary to the Tenour of the Commission.

But this course producing indeed little effect, in the time of King *Edward the second*, partly out of the favour, which it is likely the Commissioners did finde, and partly by reason of the short remainder of His Reign, there was just occasion, both for Complaint, and Relief in this next Parliament of the first of *Edward the third.* And though the particulars of the Petition in the first of *Edward the third*, and the Answer out of which (according to the manner of those times) the Printed Act was made, do not appear, for

for the want of the Roll of that Parliament, yet We may well judge thereof upon this occasion, happening within the compasse of about one year before, and thereupon conclude, (as for the true meaning of that Act) That the provision intended to be made, was onely against the excess of the Commissioners; which rather justifies, then any way disproves the Lawfulness of such Commission. And so the sence of the Act, applyable to the Complaint, will be, That whereas the Commissioners had over highly taxed the Subjects, the Act provided, That they should not be otherwise charged, then as they had been in the times of former Kings; and (according to Our Commission) moderately, and so as they might live still according to their former condition: As in like case of other Statutes against outrageous, Distresses and Amerciaments.

And although We take this to be the sence of that Statute, yet if any man shall think this part of the Statute of 1. Edward the third, *Concerning arming a mans self*, to be the same with the words of the Statute of 25. Edward the third, against *constraining any man to finde men of Arms, &c.* (which is the sence of this Declaration, which makes both Statutes to be to the same effect. and makes the inference against Our power of imposing Arms upon them both) We shall not contradict him therein, being confident to make it evident, that this Commission is no way contrary to the words or meaning of that Statute of 25. Edw. 3.

But before We come to that Statute, We shall make one Observation upon those Statutes of 13. Edw. 1. and 1. Edw. 3. both together: and thereupon shew, That in the judgement of the whole Parliament of 4. Henry 4. (whose authority is chiefly insisted upon in this Declaration) Our Commission is no way opposed by either of those Statutes: And it is this:

It appeareth, That the late issuing of the Commissioners complained of in 4. Henry 4. (which the Declaration supposeth were of the same nature with Our Commission, but We deny it) was the occasion of the Petition of the Commons in that Parliament.

In which Petition, they intending to shew the illegality of those Commissions, and to obtain (as they thereupon did) a confirmation of former Acts to the contrary, do recite the Statute of 25. Edw. 3. 18. Edw. 3. 18. and that part of the Statute of 1. Edw. 3. which is against carrying of men out of their Counties; and yet nevertheless they wholly omit this Statute of 13. Edward the first, and this first part of the Statute of 1. Edward the third, concerning the Arming. Whereas it is to be presumed, they would have also recited this Statute of 13. Edward the first, if they had conceived the

the same to be (as this Declaration sets it forth) the certain Assize for Arms, and such a Statute whereto all the rest had reference, or any way materiall against any part of these Commissions. But howsoever, making use of the latter part of the Act of 1. *Edward* the third, against carrying of the Subject out of the County, they would have made use also of this part of 1. *Edward* the third concerning the Arming, and desired a confirmation thereof, as well as of the residue, and not thus purposely rejected it, if so be they had not, upon consideration, first resolved that that part of 1. *Edward* the third, was no wayes against the Commission.

And now Welcome to the Statute of 25. *Edward* the third; whereupon the Objection stands thus:

By the Statute of 25. *Edward* the third, the Subject is not to be constrained to *finde men at Arms*, &c. if it be not by common consent and grant made in Parliament. But by this Commission the Commissioners have power, without consent or grant in Parliament, to command those who are able of body and estate to *arm themselves*: and those who are impotent, but able in estate, to *finde Arms* for others; (which the Declaration in some places calls *finishing Arms*, and in some places *finding men at Arms*) and is therefore against that Statute.

For this Objection, We need do no more then refer Our selves to Our former observation of the different sence of the severall words of *Arming a mans self*, and *finding Arms* for some other, which are the onely words used in the commands of this Commission, and the words, *finishing of a man of Arms*, or other compleat Souldier, used in this Statute, and intended to be thereby prohibited: whereby it will be apparent that arming a mans self, or finding bare Arms for others, is not within the Letter of this Statute.

Nevertheless, For a more particular Answer; 1. as to the first of these powers in Our Commission, concerning *arming a mans self*; We say, That this Act being against finding of men at Arms, or other Souldiers, doth not any wayes intend to prohibit the compelling of men to arm themselves, (that is, their own persons.)

For that had been not only against the Common Law, whereof that Act is but declarative, but also against those Statutes of 13. *Edward* the first, (admitting it provided, as the Declaration supposeth, for defence extraordinary) and against 1. *Edward* the third, by both which Statutes it doth cleerly appear, that the Subject is in some manner compellable to arm himself: And the Act of 25. *Edward* the third, is in generall against all finding of men armed at any time. So that in that sence whatsoever the occasion is (though it be upon an actuall invasion of an enemy) he cannot be compelled

to finde arms. And that exposition of the Statute would wholly take away all compulsory means of defence.

Nor will it be sufficient to answer this, That the arming according to those Statutes is assented unto in Parliament, and so is within the exception of the Statute of 25. *Edward* the third. For the consent in Parliament (intended by this exception) must be understood of *future* consent in Parliament, as well as the contraining men to finde Souldiers prohibited by the Act is meant of a *future finding* Souldiers. And in the exception of the Statute of 25. *Edward* the third, there is not only to be a consent, but also a grant in Parliament, for so the words are (*if it be not by common consent and grant in Parliament*) but in those Acts of 13. *Edward* the first, and 1. *Edward* the third, there is no colour of a grant made at all. And this Statute being declaratory of the Common Law, as appears by the reason of the Act delivered in the Petition of the Commons in these words, *Car cet est encontre le droit del Realme*. For it is against the right of the Realm, (which is as much as against the Fundamentall liberty of the Subject) this Statute of 25. *Edw.* 3. must be construed as of the Common Law; and before any Statute.

And Secondly, As for the other part of Our Commission, which is concerning the charging those who are impotent in body, but able in estate, to finde Arms for others: If such finding of bare Arms had been within the letter of that Statute, or the finding of a compleat Souldier by such a man, had been within Our Commission; yet it would have been a harsh construction, (and doubtlesse contrary to the intention of the makers) by generall words, which were meant only for provision in the generall Case, thus to have spared him in this speciall and particular Case of impotency, from contributing to the Defence of the Kingdom, by finding another, as in his place; whilst he is as much, or more concerned then others, who must undergo as much charge, and must also adventure their own persons.

And by the Common Law, whereof (as We have said) this Statute is but declarative, those who were not fit to bear Arms, were notwithstanding chargeable otherwise towards home-defence, as appears by the Presidents already cited, and many more.

And now We shall give the true sence of this Statute of 25. *Edward* 3. And this will best appear upon the end and occasion of the making; which were these.

King *Edward* the third, having had his Treasure exhausted by the French Warres, was upon that occasion, inforced to many hard pressures upon His Subjects; So that they had severall times been charged, with providing and setting forth

V. 18 Ed. 3. Rot. Parl. 11. 20. E. 3. Rot. Parl. 2. 12. and others of that time.

of Souldiers; and sometimes with maintaining or paying of them: and this in so excessive a manner, as that it cost a County sometimes at once a thousand pound; And all this was done with relation onely to a forraign Warre, wherein the Title of the King to *France* was onely in question: and nothing which directly concerned the Kingdom of *England*: against these there was just cause, to make provision by some Law; especially now when the Warres were renewing: And accordingly this Statute was made against imposing such charges upon the Subjects.

And what resemblance there is between those cases, and Our Case, of charging the Subjects onely to finde Arms for themselves, or (in case of impotency) for another (as in their stead) and all but for home defence, We refer to every mans Judgement.

And thus We leave these three Statutes of the thirteenth of *Edward* the first, the first of *Edward* the third, and the twenty five of *Edward* the third, with this observation, that if it be true, (which the Declaration takes for granted) that they are all to the same effect, that then Our Answer to any of these three is an Answer to the rest.

We are now come to 4. *Hen.4.* being the last of these Statutes, which (in the matter of Arming) are objected against Our Commission, as it stood in Common Law, before 5. *Hen.4.*

And herein We agree, That the Parliament Roll, whereupon the Statute is framed, is truly set forth in the Declaration: yet We conceive that, in Substance, there is no more upon the Roll, then in the Print; though some passages may give some light for the exposition of these other Statutes of the first of *Edward* the third, and twenty five of *Edward* the third, therein confirmed.

So as this Statute of 4. *Henry* the fourth, being in truth, but an Act of bare confirmation, without any additionall explanation, is already answered.

But because the Declaration doth import, That the Commissions (which issued lately before 4. *Hen.4.* and were the occasion of that Statute, and are damned thereby, as contrary to the Acts of 1. *Edw.3.* 18. *Edw.3.* and 25. *Edw.3.*) were of the nature of Our Commission, (which yet is not indeavoured to be proved) We shall also give a particular Answer touching those Commissions.

And herein We say, That first it doth not appear, nor is there any reason to presume that any of those Commissions were of the Tenor of Ours; And in case those Commissions did, amongst other Powers, contain also the Powers of Our Commission, touching the imposing Arms upon the Subject, it doth not appear that those Commissions were particularly in those

those very powers held unlawfull. Both which must (but neither will) be proved, otherwise there can be no application.

But the truth is apparently to be inferred out of the Roll, That upon those Commissions the Subjects were enforced to go, or to finde others to go at their own charges, not only out of their proper Counties; but also (upon occasion of some insurrections) into *Wales*, which at that time and (untill the Act of Union 27. Hen. 8.) was to some purpose, at least Commonly reputed a distinct Dominion; as appears even by this Parliament Roll, in these words, That none of the said Commons be distrained to go into *Wales*, or *elsewhere out of the Realm*, and otherwise: (the usuall phraze in severall Acts of Parliament, being also to this day, the Kingdom of *England*, and Dominion of *Wales*.) And such a Commission, We may well admit to be against all those three Statutes, without impeachment of Ours.

9. Hen. 4. R. Parl.
n. 17. 6. Hen. 4.
R. Parl. num. 9.
1. H. 5. R. Parl. n.
17. 2. H. 4. C. 10.
Stat. 2. H. 4. c. 20.

We shall say no more as to this Statute single, but that (as We have observed before) both in the Parliament Roll, and printed Act, the first Clause of 1. Edw. 3. concerning Arming, being purposely omitted, it shews that the meer matter of causing the Subject to be Armed, was not the grievance then complained of, or meant to be redressed.

Having thus farre proceeded in Our particular Answers unto the severall Statutes of 13. Edw. 1. 1. Edw. 3. 25. Edw. 3. and 4. Hen. 4. as they were applicable to the first objection made upon them, against Our imposing of Arms upon the Subject. We shall, in the next place, proceed to the Answer of the other Objection, made against Our Commission, upon the Statutes of 1. Edward 3. and 4. Henry 4. of Confirmation: (For as to the other Statutes of 13. Edward 1. and 25. Edward 3. We do not conceive, that they are or can be meant unto this purpose.) Hereupon the Objection is this;

That by the Statute of 1. Edward 3. and 4. Henry 4. the Subject is not compellable to go out of His County; but in case of the sudden coming of an Enemy, which the Declaration interprets of an actuall Invasion: But this Commission gives Power, not onely to compell the Subject to go out of his County before an actuall invasion (as the case is put in the stating of it) but (as it is expresse in other parts of the Declaration) without Limitation, and at pleasure.

To this Objection Our Answer is; That both the sence of the Statutes, and of the Powers of Our Commission are mistaken. For first, (as We have before stated it) Our Commission gives that Power of conducting out of the County, onely against an Enemy, and for defence of the Countrey, in case of imminent Danger, and but when and where it shall be most needfull; (And so not without limitation and at pleasure.)

And secondly, as to the sence of the Statutes, We do deny that the Subject is not compellable to go out of his County, unlesse in case of an actual invasion, by a forraign Enemy.

And herein, Though We have not upon this Commission necessary occasion to dispute it; yet We cannot but observe, That the Declaration allows of no necessity of compelling the Subject out of the proper County, in case of actual rebellion, and onely against a forraign Enemy, the ground whereof is a mistake (in recitall of the Statute of the first of *Edward* the third, by the Act of confirmation of 4. *Henry* 4.) of the word, *And* between the two words, *necessity* and *sudden coming*, The Act of 1. *Edward* 3. going thus, That no man be distrained to go out of his County, but where necessity requireth, and sudden coming of strange enemies into the Realm. And the Act of 4. *Henry* 4. (which as We have before observed, reciteth not the whole Statute of 1. *Edward* 3. but so much thereof, as upon occasion of the late forraign service did then concern the present complaint) being in these words, That none shall be distrained to go out of their County, but only for the cause of necessity (Of) sudden coming of strange enemies into the Realm.

Whereas, If in this recitall the word (*And*) had been put in place of the word *Of*, or before it, both had agreed, and so the sence of the Statute, as to this matter of going out of the County, had been upon the fourth of *Henry* the fourth, as it is upon the first of *Edward* the third, *That no man be compelled to go out of the County, but in case of necessity or coming of enemies*: the word (*And*) in exposition of Statutes being most frequently taken for (*Or*) according to the Subject matter, and so the Statute had excepted two cases, necessity arising from within (by actual rebellion) and necessity arising from abroad (by sudden coming of strange enemies:) this exception in both being absolutely necessary for defence of the Realm, and according to the Common Law (of which the Statute is but declarative) and the practice both before and since. And indeed it could be no otherwise in property of speech; for there cannot be a cause of necessity of the sudden coming of enemies, but there is a necessity of defence against their coming.

And in this case We are to be guided by the Statute of the first of *Edward* the third, as it was Originally, as it is also truly set forth in the Declaration, and agrees with all printed Statutes both in English and French, and ancient Manuscripts, all of them derived from the Originall Statute Roll which was lost before 4. *Henry* 4. (that which now remains being but a Transcript of a Transcript.)

Thus then, without more, We shall apply Our selves to the Objection

as it is made upon the words of the first of *Edward the third*, both in the Originall and the Recitall. And We say, That the Subject is compellable to go out of his County for the defence of the Kingdom, as necessity shall require, before the Landing or other Entry of the Enemy, to prevent his Landing or Entry.

And for this We shall but recite the words again; And they are these, *That no man be compelled to go out of his County, but where necessity requireth and sudden coming of strange enemies into the Realm.*

Wherein it seems to Us most plain, That these words require no such Actual Landing, or Entry of an Enemy into the Kingdom, before the Subject is Compellable out of his County. For the words of the Act are not (as to this point) when the Enemy *is come*, but *upon the coming*, not *within* the Realm, but *into* the Realm. And all men know, that in ordinary Speech, a man may be said to be coming into a place when he is upon a remove to a place; but most properly, when he is on his way, especially when he approacheth, with an intention to enter therein, and in such sence these words of coming into the Realm must be taken, in this Statute.

But in case the words (*of the enemies coming into the Realm*) might bear a doubtfull interpretation, that sence must be taken, which agrees with the Common Law before practised, whereof this Act is but Declarative, and the constant practice of all ages since, that is, That the Subjects have ever been commanded, and gone out of the County against the Enemy before any Landing or Entry.

And to give this Statute of the first of *Edward the third*, any other sence were against all Common reason, and the rules of government and defence; which is, not to let the Enemy first come in, if it be possible to keep him out: and it may be much more ease to prevent the coming in to the Land, (especially by Sea, in opposing the Landing) then afterwards to expell him. And it cannot be expected, that the Forces of one County alone, should be able to resist the entry of a powerfull Enemy.

And lastly, as for those Commissions, which were damned in 4. *Henry the fourth*, those had no resemblance to Our Case, nor are warranted by the Exception of 1. *Edward the third*; For that (as appears before) the Subject was then carried out of the County not for defence of the Kingdom, as the Exception of this Statute requires, but for suppression of an Insurrection in *Wales*, which was not then taken as part of the Realm: and the Prayer of the Commons in 4. *Henry the fourth*, made upon that Occasion, and therein grounded upon, in the first of *Edward the third*, was not merely because they were carried out of the Counties, but because they were carried

out of the Realm in a Service, which was not for the necessary defence thereof.

We have thus farre, upon this last head of Our discourse, onely answered the Objections made upon these Statutes of the thirteenth of *Edward* the first, the first of *Edward* third, the twenty fifth of *Edward* the third, and the fourth of *Henry* the fourth. We shall now conclude this part of Our Answer, with a return of all those Statutes against the Declaration, and in justification of Our Commission.

First, as concerning 13. *Edward* 1. since that (as We have before observed) the Statute was made onely with relation to the keeping of the peace, it implies, that there is another rule in the matter of imposing of Arms for defence extraordinary.

Secondly, as for 1. *Edward* 3. (besides Our former observation, That in all probability, the Act was made but upon Complaint against the excess of charging by the Commissioners, and not against the powers of that Commission, which had lately before issued, which rather justifies the Commission then otherwise.) We further say, That if We should admit, that the Statute of 1. *Edward* 3. *That no man should be charged to arm himself, otherwise then he was wont in the time of the Kings Progenitors*, hath any relation unto 13. *Edward* 1. and that so the sence thereof were, That none should be compelled to finde Arms, otherwise then according to that Statute of 13. *Edward* the first. Yet then that Statute of 1. *Edward* the third, (as tis plain) must be meant only as concerning ordinary defence; and that as the Subject is in case of necessity to be carried out of the County, So in that case he may be compelled to be Armed otherwise then at ordinary times.

To this purpose We note, that in the Statute there are two distinct propositions joyned together, one against the Arming of the Subject, the other against going out of the County; And the clause which is next subjoyned is an exception *Sinon pour cause de necessite, &c. Unless it be for necessity, and the sudden coming of strange enemies*. Which exception, upon such admittance, is not onely applyable to that last clause before, concerning the going out of the County, but as to the Arming: The sence thereupon also being thus; That though in case of ordinary defence, the Subject be not compellable to bear other Arms then according to the thirteenth of *Edward* the first, as neither to go out of the proper County; yet for the extraordinary defence of the Kingdom, in case of necessity (wherein more must be done then ordinarily) both, Arms are to be imposed by other rules then in thirteenth of *Edward* the first, and also the Subjects are to go out of the County; For so it followeth in the next words of the Act; which

are these, And then it shall be done, as hath been used in times past, for the defence of the Realm. And this sence, upon this admittance, cleerly appeareth out of the course of former times in such cases, to which the Statute doth referre.

As for 25. *Edward* the third (besides that the Declaration saith it is to the same effect with 1. *Edward* the third, and was made with relation to a forraign Warre, as We have observed,) if (as the Declaration must admit) that the exception of finding men at Arms, &c. by Common consent, and in Parliament, be intended as well of Acts of Parliament past as to come, then Our Commission, in the power of imposing Arms, being warranted by the first of *Edward* the third, is also warranted by that Act of 25. *Edward* the third.

And for 4. *Henry* 4. (besides what We have before observed, upon the omission therein of the first part of the first of *Edward* the third, concerning imposing of Arms, and that it applyes, 25. *Edward* 3. but to a forraign warre) the generall sence, and Judgement of that Parliament, excepting then onely against other Commissions, seems to allow of this; for that otherwise, it is not to be imagined, that immediately in the same yeer, there should issue out a Commission of Array, and in the next yeer, there should issue out that other which was corrected in 5. *Henry* 4. both of the same form, and the latter bearing *Teste* the day of the Summons of the Parliament of 5. *Henry* 4. And that at that Parliament, though some amendiments were made in it, yet no exception should be taken to the legality of the powers: whilst (as the Declaration observes) it is probable, That many of the House of Commons, and it is certain that most of the House of Lords, were Members of the Parliament of 4. *Henry* 4. and knew the meaning thereof.

And thus We have answered to the full satisfaction (as We hope) of all indifferent Judgements, the severall Objections made against the legality of Our Commission of Array as it stood before, and at the making of the Act of 5. *Henry* 4. and thereby proved, That Our Commission was warranted by the Common Law, That the powers thereof remain untouched by the Statutes of 1. *Edward* 3. 25. *Edward* 3. or 4. *Henry* 4. And that it was afterwards allowed and settled (as a rule or pattern, whereby Commissions should issue in after ages) by the Act of Parliament of the fifth of *Henry* the fourth.

We have yet some other Objections in Our way, which admitting the legality of Our Commission as it stood in 5. *Henry* the 4. are made against it upon some latter Acts.

The first in time is upon the Statute of 4. and 5. *P. & M. cap. 4.* which settles

settles an assize and proportion of Men, Horses, and Arms, which every man was to finde; which the Declaration saith was *without Question*, a repeal of this Statute of 5. Henry 4. And accordingly, We shall take that first into consideration, For though upon the repeal of that Statute by 1. Jac. cap. 25. the Declaration agrees, That Our Commission, if once settled by 5. Henry 4. is now again in force, yet an inference is made from thence, That the Parliament of 1. Jac. would never have repealed that Statute of 4. & 5. P. & M. if they had thought that any such power of imposing Arms, as is in the Commission, would have been thereupon revived.

The words of the Statute of 4. & 5. P. & M. cap. 2. are these. *Be it enacted, &c. That as much of all and every Act and Statute concerning only the keeping or finding of Horse, Horses, or Armour, or any of them heretofore made and provided, and all and every forfeiture or penalty concerning only the same, shall be from henceforth utterly void, repealed, and of none effect.*

To this We say, first, that 4. & 5. Phil. & Mar. doth not repeal 5. Hen. 4. either by the words or meaning.

As to the words, They extend onely to a repeal of such Acts which do appoint particular Assizes (or Assessments) of Arms: all which upon that Statute of 4. & 5. Phil. & Mar. (which appoints a new Assize for kinde of Arms and proportions) would be either contrary or altogether uselesse. And to that purpose the Statute speaks of repealing of Acts concerning keeping or finding of Horse, Horses, or Armour, which, as it must be meant of Acts concerning keeping or finding of Horses in particular for kinde or number; So as concerning (Armour) in generall, it must, by the constant Rules of construction of Statutes, be meant of Acts of the like nature as the former, that is, Acts concerning the appointment of some particular Armours, as a Gorget, a Brest-plate, and the like, such as were the Statute of the thirteenth of Edward the first, and in the thirteenth of Henry the eighth.

But this Statute of 5. Henry 4. is nothing concerning the appointment of any particulars, either for the kinde of Arms or proportions: but doth onely enact a Commission issuable, without commanding that it shall issue, which is referred to the Kings pleasure (upon a lawfull occasion.) Nor doth the Commission it self mention (as is apparent) any particularity of Arms or proportions.

And if the Statute of 4. & 5. Ph. & Mar. were meant of such Statutes, as speak of finding Arms in generall, it had as well repealed the Statutes of 1 Ed. 3. 25. Ed. 3. and 4 Hen. 4. as this Act of 5. Hen. 4. which no man will say was ever intended.

But in truth, This Commission being in generall, doth no wayes contrary this Statute of *Phil. & Mar.* but that the particulars of the Assessement by that Act, both for the severall Kindes of Armes and proportions, might have been very well put in Execution by this Commission.

For the Commission gives power to asseſſe every man *juxta statum & facultates*, According to his degree and ability. And this Parliament of 4. and 5. *Phil. and Mar.* appointing Arms fitting for defence of the Kingdom in those times, and proportions fitting (in their Judgements) for the severall degrees and abilities of every man; That Act did not thereby take away the power of the Commissioners wholly, but did onely give particular rules for the kinde of Arms and proportions, which the Commissioners were to observe in the execution of their power, thereby onely regulating, but not destroying their powers.

And if this Statute of 4. and 5. *Phil. and Mar.* had taken away the first Powers of the Commissioners concerning arming, yet had it not taken away the other severall and independent Powers of Arraying, Training, Mustering, or Conducing those men so furnished according to that Statute, but that they had remained to have been executed (at least by a distinct Commission which might have been issued at pleasure for that purpose.)

And this also appears by the Statute of the same Parliament of 4. and 5. *Phil. and Mar. cap. 3.* (which is in force at this day) which being concerning mustering, hath occasion to mention, and doth expresse the old power still remaining to issue Commissions of that nature; in these words, *That if any person that shall be commanded at any time hereafter generally or especially to muster afore any such who shall have authority or commandment for the same, by, or from the King or Queens Majestie, or the heirs or successors of the Queens Majesty, or by any Lieutenant, &c. do absent himself, or at his appearance do not bring his best furniture of Array and Arms, as he shall then have for his person in readinesse, shall be imprisoned, &c.*

But neither by that nor the other Statute of *Phil. and Mar. cap. 2.* is there any new authority given to the King to grant Commissions for Musters, but the same is admitted to continue as not repealed. And as to that point of appearing at Musters, We made use of that Statute of 4. and 5. *Phil. and Mar. cap. 3.* in Our Proclamation: And do wonder how the Penner of that DECLARATION could imagine, We meant any such further use therein upon that Statute, as the DECLARATION lets forth.

And here by the way We observe a mention in this Statute, of 4. and 5. *Phil.*

Phil. and Mar. cap. 3. of a power of mustering in Lieutenants, to whom other Powers contained in Our Commission were also granted, and might have been also mentioned in this Statute, if there had been occasion.

And secondly, as to this Statute of 4. and 5. *Phil. and Mar. cap. 2.* We say, That in case that Act of 5. *Hen. 4.* had been repealed by 4. and 5. *Phil. and Mar.* yet this Commission had still continued in force notwithstanding any bare repeal; for that (as We have proved) this Commission was (before that Statute) warranted by the Common Law, which did still remain in force so farre as it was not expressly contrary to the further particulars of that Act.

And now We come to the Objection principally intended against this Commission upon the alteration of the Law at this day since 5. *Hen. 4.* wherein the case is this.

The Statute of 13. *Edw. 1.* made an assize of Arms for the severall kindes and proportions according to mens severall estates. Then 5. *Hen. 4.* enacts this Commission with power to aslesse men according to their abilities. Afterwards 13. *Edw. 1.* is repealed by 21. *Jac.*

The Argument hereupon in the DECLARATION is made thus :

That the Commission, as to the finding of Arms *juxta statim & facultates*, is so grounded upon that Statute of 13. *Edw. 1.* (which was then in force, and did enact the finding of Arms *juxta statim & facultates*, in manner as is therein expressed) that that Statute of 13. *Edw. 1.* being since repealed, that Commission is likewise repealed, and become unwarrantable at this day.

For answer whereunto, in the first place, We do deny that this Commission is any wayes grounded upon 13. *Edw. 1.* First, for that (as We have proved) 13. *Edw. 1.* originally was not meant, as a provision of Arms for defence extraordinary, much lesse so intended here.

Secondly, If it were for defence extraordinary, yet neither this Act of 5. *Hen. 4.* nor the Commission thereby settled, have any relation thereunto in words, much lesse in meaning.

For the words, There is no mention of 13. *Edw. 1.* either in the Act or Commission, but the words of the Commission are generally, for imposing Arms *secundum statum & facultates*; According to every mans degree and ability, without limitation, of the kinde of Arms, or particular severall proportions of estates.

And for the meaning, We cannot conceive it to be lesse, then according to the full extent of the words. For there is lesse reason to imagine that the Parliament of 5. *Henry* the fourth, did any wayes intend the assize of Arms established

established by 13. *Edward* the first, then there was to imagine the like upon the Act of 1. *Edward* the third; for that between 1. *Edward* the third, and 5. *Henry* the fourth, All kinde of Arms were more altered, then betwixt 13. *Edward* the first, and 1. *Edward* the third, and in this space of time, Guns were come into use in *England*, which were both necessary to be commanded and provided against by other Arms.

And to avoid Repetitions, We further refer Our self, in these two particulars, to what We before observed upon the Statute of 1. *Edw.* 3.

And as for any restraint of those generall words of Our Commission, by any construction of Law to the particular assize of 13. *Edw.* 1. We say, That though a subsequent particular Act may restrain the generall words of a Commission (as We have said before, upon the Statute of 4. and 5. *Phil.* and *Mar.*) because the subsequent Act, as it may take away, so it may limit any Power given either by Common Law or Statute, yet a precedent particular Act (upon the same reason, because it hath no such Power) doth not regularly restrain the generall words of a subsequent Statute, which hath Power to controll the former; and (as in Our case) where the meaning appears to be as large as the words cannot possibly restrain them.

But in this We need not labour, For though the Declaration in making way for this Objection, admits the Commission, to have some colour to be legall, as grounded upon 13. *Edw.* 1. as to that part of finding Arms *juxta statum & facultates*: Yet it is the main and throughout ground of the Declaration, *That this Commission, because it is generall, is against the Statute of 13. Edw. 1. and the other Statutes, and so void*; whereas, if the Commission had been restrained to 13. *Edw.* 1. then it could not have been void as contrary thereunto.

But, admitting that this Commission was, by construction of Law, necessarily to be regulated according to 13. *Edw.* 1. whilst that Statute was in force, Our Answer is, that nevertheless this Commission did not fall by the repeal of that Statute.

Wherein We shall admit (which the Declaration supposeth, though by Us it is disproved) That this Commission was not warranted at the Common Law before the Statute of 5. *Henry* the fourth, and then the Case is but this.

The Statute of thirteenth of *Edward* the first, doth appoint a particular Assize of Arms for kindes and proportions, according to this necessary rule, the Arms for the kinde shall be fit for defence; and for the proportions, shall be according to *mens abilities* (for such is the Act.) Afterwards 5. *Henry* the fourth doth establish this Commission, wherein there is no particular reference unto this Statute of 13. *Edward* the first; but,

the rule is generall to charge Armes, for the kindes, according to the use of the time (for that is necessarily implied) and for the proportions, according to mens degrees and abilities: which are equall rules fit ever to continue, though the kindes and proportions, may and must alter.

In this case We do agree, That if the Commission had expressly referred to charge according to that Statute of the thirteenth of *Edward the first*, Then that Commission could have been no longer of force then the Statute had continued. For then it had been no more in substance, then if the powers had been but particular, to charge certain Armes, and in certain proportions according to that Statute. And in this sence We must agree with the Declaration, That a Commission being grounded upon a Statute, upon the Repeal of the Statute, both fall together.

But in this case, (thus admitted) where the Commission is generall, and if the thirteenth of *Edward the first*, had never been, must have had its full operation, according to the words, both for the kinde of Armes and proportions, and was regulated but by a bare construction of Law, both for Armes and Proportions by 13. *Edward the first*, which the Parliament might think fit to be a rule for that time; it seems strongly to follow, that when 13. *Edward the first*, (which was the only impediment why it did not work according to the extent of the words) is repealed, the operation of the Law upon this Commission, by force of that Statute, must likewise cease: and the Commission must be construed according to the words, the rather for avoiding of this mischief, that otherwise the Kingdom should be without all necessary means to put it into a posture of defence, which that Act did intend principally and perpetually to provide for.

But more fully to take off this Objection, We must here remember (what We have proved before) that the Powers of this Commission in the latitude of the words thereof for imposing Armes, *secundum statum & facultates*, according to mens degrees and abilities, was warranted at the Common Law before any Statute, and was to be executed without the direction of any particular Assize for kindes and proportions: As at this day severall like powers for assessing men both by Statute and Common Law according to their abilities, as for high-ways, poor of the Parish, and the like are to be executed.

These then being the Powers at Common Law, As it is cleer they are not taken away by any affirmative Statute, (such as 13. *Edward the first*, seems to be :) So if We shall admit (as strongest against Our self) that there were any negative words in this Statute or any other Statute grounded thereupon, That the Subject should not be compellable to bee armed

otherwise, (which other Statutes (according to the ground rightly taken in the Declaration) must necessarily fall by the repeal of 13. *Edward* the first,) then that Statute being repealed; The Commission thus freed of those Statutes, remains in full force as it was at the Common Law.

And now that We have passed over the Acts of Our Predecessors as well before as after the Act of 5. *Henry* the fourth. We are encountred with Our own Acts, the Petition of Right, and a Recitall in an Act this present Parliament, as being both against Our Commission.

Whereunto We need to say but this, That it appears out of themselves, that neither of them were ever meant to introduce a new Law: So as if (as We have proved) Our Commission be not against the Law, as it stood formerly, they were not intended nor justly ought to be extended against it. But to give yet more particular and full answers thereunto; We say, First, for the Petition of Right, it no wayes extends to our Commissions of Array.

The Objection made upon it stands thus.

The Petition of Right sets forth, That by the Laws and Statutes of this Realm, the Subjects have inherited this Freedom, That they should not be compelled to contribute to any Tax, Tallage, Ayde, or other like charge, not set by common consent in Parliament. And after complains, That divers charges have been laid and levied upon the People by Lords Lieutenants, Deputy Lieutenants, Commissioners for Musters, Justices of Peace, and others, by command or direction from Us, or Our Privy Councell, against the Laws and free Customs of the Realm, which the Declaration alledgeth to be the breach of those Laws.

Then the words of the Petition are thus applyed, That here is a Tax or Charge imposed upon the people, by compelling them to finde Arms by command and direction from Us, under Our great Seal, without consent in Parliament.

And the meaning of the Petition is thus enforced, That it is very well known, and doth sufficiently appear, that the charges there mentioned to be laid by Lords-Lieutenants, and Deputy-Lieutenants, were the charging of the Subjects with Arms against Law, by colour of their Commission from Us, and consequently this Commission is against the Petition of Right.

For Our clearer Answer, We shall set down the summe of the Petition, for so much as concerns the unlawfull charging of the Subject. And it is this.

First, The Petition recites severall Statutes, as made against the compelling the Subject to the making or yeelding any Gift, Loan, Benevolence, Taxes, Aydes, or such like Charges without Common consent in Parliament; And next setteth forth a violation of those Statutes, by the Commissions of Loanes, and Execution of them; and that divers other Charges had been laid and levyed by Lords-Lieutenants, and others (as is aforesaid) And lastly the Prayer is substantively of it self, without any relative words, yet extends to all that was before complained of, and contains the substance of all those former Statutes in these words, *That no man be compelled, to make or yeeld any Gift, Loan, Benevolence, Tax, or such like Charge without common consent by Act of Parliament.* And Our Answer to that part of the Prayer; amongst the rest, is, *Let right be done as is desired.* And Our Answer to the Objection stands thus.

First, That whatsoever sence any words of the Preamble may seem to import, yet without question, there is no more in this Preamble then is after contained in the Prayer: So if Our Commission be not against the Prayer, there can be no Argument against it drawn out of the Preamble, or if in truth there were more in the Preamble then in the Prayer, (whereunto onely the Koyall assent extends,) yet nothing could bindingly be concluded thereupon (as We shall further shew upon occasion.)

This then onely rests to be considered upon this Objection; Whether the power, in Our Commission, to compel the Subjects, able of body and estate to Arm themselves, and in case of impotency to finde Arms for others, for the necessary defence of the Kingdom, can be said to be a compelling of the Subject, *to make or yeeld any Gift, Loan, Benevolence, Tax, or other like Charge, contrary to the Prayer of the Petition.*

Upon the Case thus truly stated, it is cleer, That here is *no yeelding or making of Gift, Benevolence, or Loan*; And as for *making or yeelding any Tax or other like charge*, though it be true, That this arming a mans self, or finding Arms for another, cannot be done without Charge: Yet We appeal to every mans understanding, whether Our Subjects can, upon this Commission, be said *to make or yeeld* (for so are the words) *any Tax or other Charge* against the Petition, any more, then if We command a City to repair their Walls, or a Levell (putting the Case before any Statute, to take away all colour of evasion) to repair the Sea-banks, when they were in decay, being no particular advantage to Us, but for the Common good of themselves.

The truth is, That albeit the imposing of divers charges, and commanding

manding divers Acts drawing charges upon the Subject, though possibly for their advantage, are void in Law : Notwithstanding it doth not follow that they are void as against this Petition. For the Petition of Right, as against the charges therein mentioned, is onely to be intended of Money, or other thing valuable, and to be parted with to or for Us, or Our advantage : Such as are all the Charges more specially mentioned in the Preamble and Prayer, as that of Gift, Loan, and Benevolences, And such as were those Charges intended in the Preamble under the generall expression of divers other Charges imposed by Lord-Lieutenants, &c. which We think is very well known to most Counties, to have been meer Pecuniary Payments, and which We ought to have borne. And for the other charges, that is, of Taxes, Tallages, Ayles likewise mentioned ; which as to this purpose are but *Synonoma*, and of one signification, they are meant of money or other things valuable, and for the King ; and so used in the old Statutes, and had been in former times imposed upon the people, without Act of Parliament ; and accordingly all of them are so to bee expounded in the Preamble. And the Prayer of the Petition saith nothing expressly against the Commanding the Subject to do a thing which may be necessarily of expence or Charge, (wherein the Act is onely intended, and the Charge but a necessary Incident) but the Prayer is onely against the compelling of the Subject to *yeeld, or make* those kinds of charges : So as the cleer sence of the Petition, both according to the occasion of complaint therein mentioned, and the Laws whereupon it is framed, as well as the propriety of the words, is onely against drawing from the Subject, either Money or Money-worth, by any of those particular charges therein mentioned, or any other charge of like nature (under what specious title soever) for the Kings advantage, which the more plainly appears, for that the charge must be *yeelded or made*, as upou *Gift, Loan, &c.* which must necessarily be intended unto some person, and no other person can be here colourably intended but the King.

And if the Petition, by any construction may extend against the commanding of any *Acts*, which in the execution may induce charges, yet such charges must (according to the very words of the Petition) be *such like Charges*, that is for Us or Our advantage, as the particular *Charges* therein mentioned, of *Gift, Loan, &c.* But this charging of the Subject with Arms for the necessary defence of the Kingdom cannot be said for Our particular advantage, all Our Subjects having therein a Common interest.

As for the meaning of the Petition inforced in the Objection from the Charges by Lord-Lieutenants, and others complained against in the Preamble, sure We are that those must be such in the particular, as are after contained in the generall words of the Prayer, to which We have answered before: And though it be to this purpose said in the Declaration, That those *Charges by Lord-Lieutenants and others*, were meant of *charging of the Subject with Arms*, certainly no such thing can appear in the Petition, which speaks but onely of *divers Charges*, but names none in particular; nor can there be any other assurance that the Houses did intend any such thing, but by Votes, wherein they onely speak: and if any such Votes had been, We doubt not but We should have found them inserted in this DECLARATION. And a particular complaint of so great a grievance (as Our Commission is made to bee) would have been expressed in the Preamble of the Petition, with the Quotations of Statutes to the contrary, as was done concerning other grievances. But in truth it is well known, That about that time, upon occasion of Our Warres, there were divers other charges imposed by Our Lieutenants, and others, of a farre differing nature, most of which were by direction from Us or Our Privy Councell, according to the exigency of the time and some former practice.

And We do beleieve, That there was at that time neither complaint or occasion of complaint against the imposing of Arms for home defence of the KING DOME. Howsoever Wee are sure that no such complaint was particularly represented unto Us, or Our Answer intended thereunto.

And now to cleere this fence of the Petition out of the Judgement of both Our Houses this very Parliament, We demand this Question: If so be the imposing Armes for defence, be a charge upon the Subject within the meaning of this Petition, how the two Houses will justify their Ordinance, which We are sure they will not call an Act of Parliament; For without an Act of Parliament, no Charge thereby provided against, can be imposed upon the Subject, the words being plain, That no man shall be compelled to make or yeeld any Gift, Loan, Benevolence, Taxe, or other such like Charge, *Without Common consent by Act of Parliament*.

And now, since this Declaration hath given Us such occasion to exmire Our Commission upon the Petition of Right, We shall conclude, out of that Petition, That that Parliament did conceive the powers of this Commission, warrantable in every point.

For it is plainly to be observed, that the Commons did then take into consideration the generall grievances of the Kingdome, more particularly, concerning Military affaires, and therein the actions of Lord Lieutenants, and Deputy Lieutenants with their Commissions and powers, and their exceeding of their power, as expressly the billeting of Souldiers, and the payment of Billet-money, Muster-masters fees, and others of that nature, were then in dispute. And although the two Houses could not but take notice of the imposing of Armes upon the Subject by our Commission of Lieutenancy, and their powers to Levy, call together, Arm, Array, Train, and Muster Our Subjects inhabiting in Our severall Counties, and to conduct and lead them against all Our Enemies, and all Rebels and Traytors, from time to time, as need should require, (in which particulars they contained the powers of Our Commission of Array: Yet the Complaint was not made against them, for what they did by vertue of their Commission (no more then against the Justices of Peace, though complained of, together with the Lieutenants) but for matters where in they did exceed their Commission, upon the command, or direction from Us, or Our Councell; the Petition throughout distinguishing betwixt such Commands, or directions, and Our Commissions.

So that We conclude, here was not onely an admission, but an approbation of those powers, by that Parliament.

We come now to the recitall in the Preamble of the late Statute made this Parliament. The words are these.

For as much as great Commotions, and Rebellions have been lately raised and stirred up in His Majesties Kingdome of Ireland, by the wicked plots and conspiracies, of divers of His Majesties Subjects there (being traitterously affected) to the great endangering, not onely of the said Kingdome, but also of this Kingdome of England, unlesse a speedy course be taken for the preventing thereof, And for this raising and pressing of men for those Services. And whereas, by the Laws of the Realm, none of His Majesties Subjects ought to be impressed, or compelled to goe out of His County, to serve as a souldier in the Wars, except in case of necessity of the sudden coming in of strange Enemies: into the Kingdome or except they be otherwise bound by the Tenure of their Lands or possessions, &c. (upon which Preamble, there is, in that Statute, some provision made for a time for raising and impressing men for those Services.)

And upon this Preamble, the conclusion is made in these words, *That this Commission is directly contrary to this Declaration is so evident, that it requires no application.*

To this Objection, We say, We might make Our Answer as short as the inference is, by affirming, That it is evident, that this Commission is not contrary to this recitall; And surely We thinke that what We have already opened,

net. being applyed to this Objection, would warrant that Answer;

But that We may leave nothing undone, that may tend towards the full satisfaction of Our good people, We shall also give this a particular answer.

First, Wee say, That if this recitall had bene an Act, yet there were nothing in Our Commission contrary to the letter of it, for that by this Commission, no man is compellable by any speciall words to goe out of his County.

And the generall words, (giving power to the Commissioners, for leading them to the Sea-coast or elsewhere (as We have often repeated) are with these limitations : They are to lead them, but when there is imminent Danger of enemies, for defence of the Kingdome ; and then onely they are to be led to such places, as shall be necessary for the expulsion, vanquishing and destruction of the said enemies. And this is a case of necessity both within the words of this recitall, and according to the sence of the same words, in the Statute of 1.E.3. and 4.H.4. (therein meant) as We have before shewed.

And thus We might leave this Objection, but that it implies a matter of a greater consequence then plainly appeares. That recitalls of the Law, in Preambles of Statutes are binding ; For in this Objection, this recitall is called a *Declaration of the Law*, and Our Commission said to be *contrary to that Statute*, and it further implies, That even in the greatest and most horrid Rebellion, the Subject cannot be compelled out of the County, for the suppression thereof. But to this We answer, That the difference is apparent, between an Act of Parliament declarative, and a recitall in a Preamble: For such an Act (in any matter though mistaken) being assented unto by Vs, and Our two Houses, is equally binding (as having equall authority) with an Act introductive of a new Law, But the recitall in a Preamble, is no part of the Act (the Royall assent being onely to that, which is expressly or tacitely prayed to be enacted :) Nor can it any wayes so much as imply our Opinion : For otherwise, Kings must be inforced oftentimes to deny a good Law, for an ill Preamble ; The consequence whereof is great in such an Act as requires expedition, where a Bill once denied, is not regularly to be offered againe in that Session of Parliament.

1 And if it were needfull, divers mistakes of the Law in Preambles might be produced, by which We would be loath to bind Our Subjects.

Nevertheless, though Preambles be not in themselves sufficient to declare Laws, yett VVe deny not they are of good use, though not convincing Arguments to expound them.

And for Our power in the matter of Rebellion, besides what hath bene said, VVee might also adde (if it were materiall to this Commission,) Preambles, Recitals, and other necessary Inferences out of other Statutes (made since

since those intended in this Recital) which would prove, that in case of Rebellion, all Our Subjects ought to assist Us, and to attend Our Person upon Our command, for the defence thereof; whensoever We should require it.

See 11 H. 7. in the Preamble, That the Subjects, by the

duty of their Allegiance, are bound to serve their Prince in his Wars, for the defence of Him and the Land, against every Rebellion, Power, and Might reared against Him. And 11 H. 7. c. 18. Whereas every Subject, by the duty of his Allegiance, is bound to assist the King at all seasons when need shall require; and most especially such as have by him promotion or advancement, as Grants, and Gifts of Offices, Fees, and Annuities, which are, and verily be bound by reason to give their attendance upon his Royall person, to defend the time, when hee shall fortune to goe in his person in wars for defence of the Realme, or against his Rebels and Enemies. And 5 Ed. 3. cap. 5. Be it enacted in favour of Fishermen, and Mariners, That none of them shall hereafter at any time be compelled against his or their will to serve as a Souldier upon the Land or Sea, otherwise then as a Mariner, except it shall be to serve under any Captain of some Ship or Vessell for landing, to do some especiall Exploit, which Mariners have used to doe, or under any other person, having authority to withstand any Invasion of Enemies, or to subdue any Rebellion within the Realme. And see 19 H. 7. cap. 1. 2. & 3. E. 6. c. 2. And 4 & 5. Phil. & M. c. 3.

And the truth is: the occasion of this Act now urged against us, appears to be for the service of *Ireland*, and the intention of it (for so much as is the enacting part) was to take away all question concerning the pressing of the Subjects of *England* for the suppression of the Rebellion in *Ireland*. And so concerned forreigne service, and not home defence, either against Invasion of Enemies or Rebels.

And thus far the worke of the Declaration hath been to overthrow Our commission by Statutes alleaged to be directly against it. There remainys yet some other Objections drawn from the opinion of former Parliaments, and the practice of Our selves and Our Predecessors, and those not directly, but by inferences. But these, as wee shall shew, are so far from concluding against Our commission, that they rather prove the contrary.

The first of these Objections is upon the Statutes of 1 Jac. c. 25. and 21 Jac. c. 28. of Repeals: And is thus, That the Statute of 4 & 5 Ph. & M. c. 2. having Repealed this commission (for so the Declaration suppoeth) They had shewed little care of their own and the Subjects Liberty, in the Parliament of 1 Jac. to Repeale that Statute thereby to revive the power of this commission: which would have subjected the people to far greater bondage: and from thence inferreth That it is not probable that the Parliament of 1 Jac. would have Repealed 4 & 5 Ph. & M. : As likewise from the Statute of 21 Jac. (which Repealed the Statutes of 13 E. 1. and 33 H. 8.) That it is not probable, that the

Parliament of 21 *Iac.* would have Repealed those Statutes (which in a moderate manner proportioned the Arms every man was to finde in certainty:) And suffer an Act (meaning this of 5 *H.4.*) to continue, which established a power in the King without limitation, not only to impose Arms, but to command the persons of the Subjects at pleasure.

To this We say, that both the grounds of this Objection are mistaken. For (as We have already shewed) neither is this commission Repealed by the Act of 4 & 5 *Ph. & M.* Nor is there any such unlimited Power given, or Bondage by it, as is pretended. And therefore Our Answer is, That it is no wonder that those Parliaments might Repeal 4 & 5 *Ph. & M.* as too hard; and 13 *E.1.* & 33 *H.8.* as of no use: and put the *Militia* of this Kingdome againe wholly under the powers of this commission, (being so indifferent betweene both the other:) And indeed the *Militia* did after continue under Lieutenants, who had in effect the powers given by this commission.

And now We shall return this Objection thus:

That those Parliaments of 1 *Iac.* and 21 *Iac.* would have shewed little care of the safety and defence of the Kingdom to have Repealed those Statutes which made provision for Arms, if they had thought there were no Law or Power left in the King to charge men with Armes for defence of the Kingdome, (as the Declaration affirms the Law now to be.)

But whosoever considers that at that time, and long before, the power of imposing Arms, was put in execution by Lieutenants, and Deputy-Lieutenants, by authority of their commissions (which to this purpose are the same with Our commissions of Array) and that this power was not complained of in those Parliaments, must conclude it more then probable, that those Parliaments did then conceive there was a sufficient power remainyng in the King to impose Arms.

The next Objection is from the opinion of the Parliament of 4 and 5 *Philip and Mary, c.3.* That is Our commission had beene authorized by Act of Parliament, that Statute of *Ph. and Mary* had been to little purpose, whereby the penalty of Imprisonment for ten days, or forty shillings is imposed upon such, as doe not appear at Muster, being Summoned thereunto, by the Kings commissioners authorized for that purpose. Intimating, as that the Act of *Ph. & Mary* would never have been made, if they had then conceived, that We had power to grant such commissions.

To this Wee answer, That the particular Arms and proportions of Arms, were then before appointed by the Statute of 4 and 5 *Ph. & Mary, cap.1.* under certain penalties upon those who should be defective, and so a great part of the care of the commissioners of Array was supplied by the provision of that

Statute; and the commissions of Array being not so proper, but in time of danger, and of a larger extent, then the power of Mustering, a commission of Muster (which is part of the power of a commission of Array) would then serve the ordinary turn: and for every ordinary default, but at a Muster, in a time of no Danger, the punishment by 4 and 5 *Ph. & Mary cap. 3.* was great enough.

And for returne of this Objection, Wee say, (as Wee observed before) That this Statute gives no new power, to grant commissions for Musters, but admits the power to grant such commissions to have been in the King before that time. And whereas the Statute of 13 *Ed. 1.* appoints no other Officers but the Constables for view of Arms, it appears by these Statutes of *Ph. & Mary*, that the King might appoint His commissioners: which he could not, if this power of Arms had been wholly grounded upon that Statute.

That last Objection of this nature, is grounded upon the common opinion or practice; And is this.

That the Commission of Lieutenancy, so grievous to the people, and declared illegall in Parliament, had not been so often issued, and so much pressed upon them, if the Commission of Array, not much differing from it in power, and not at all lesse grievous to the Subject, might, by the warrant and authority of the Laws of this Realm, have supplied their Room.

To this Our Answer is, That it stands upon two grounds: First, That the Commissions of Lieutenancy were grievous; Secondly, That they were illegall: both which so far forth at least as to the powers wherein they did not exceed the power of this Commission (for the other powers are not now in question) are cleerly mistaken.

For, as for the grievousnesse, wee say these Commissions were such as had been long used in the happiest times of Our Predecessors, and continued to Our Time: And such grievances, as did or might arise in the execution of these Commissions, not warranted by them, are no cause to quarrell at the Commissions themselves, more then at the Commissions of Peace, because some Justices of Peace have exceeded or abused their authority. And howsoever, Those powers wherein they exceeded not our Commission of Array could not be grievous, as we have already shewed.

And as for the illegality of those powers, We shall not, nor will Our people be satisfied by bare Votes, that they are illegall. The same being done, without hearing of Our Councell, and without advising with the Judges, and demanding their opinions (a course which was formerly used in Parliaments, as appears even by this Record of 5 *H. 4.* amongst many others, but in matters of Law, which have of late risen in Our Houses of Parliament hath, (for what
cause

cause We know not, been laid aside.) But Wee again say, these powers in Our Commissions of Lieutenancies are legall, and if there be any clauses in such Commissions which are illegall, those clauses could not at all make the Commissions void, for so much as was legall; much lesse take away Our power of granting new Commissions, omitting such clauses.

But if We should, for this time, admit the grounds of this Objection, That Our Commissions of Lieutenancy had beene such as this Declaration would have them, yet it is but a very inconsequent Argument, That those Commissions would not have issued so often, and been so much pressed, if the Commissions of Array had been Legall.

For the Commissions of Lieutenancy contained not onely most of the powers of the Commission of Array, but in many things exceeded them, and were issuable in times of Peace, whereas Commissions of Array commonly issued in times of Danger onely, and so there was occasion for the one Commission, when there was none for the other.

But on the contrary, (that Wee may Retort this Objection also,) since that the Commissions of Lieutenancy, not much differing from the Commissions of Array in Power, (as the Declaration saith) and in many things exceeding them, have so often issued in the Reignes of severall of Our Predecessors, and were allowed by the Judges of those times, obeyed without dispute, and not questioned in the Parliament of 1 Jac. or 21 Jac. nor were these powers whereon they agreed with the Commission of Array complained of by the Petition of Right, but rather admitted and allowed, as Wee have already shewed. It may very well be inferred that both the Commissions of Lieutenancy and of Array, (as to those powers at least wherein they agreed) were Legall and far from being any grievance to the Subject.

Thus far we have proceeded in the Examination and cleering of the Objections made against Our Commissions of Array. Upon all which Objections, we shall further observe, that although the Declaration denies Our power at this day of commanding to *Train or Exercise*; yet none of those Objections touch any thing upon those Powers. So that if all were true which is Objected, yet we should still have power (at least by a distinct Commission) to command Our Subjects to be Disciplined, Mustered, Trained and Exercised, with such Arms as they had in a readinesse; for that (as wee have shewed before) these are distinct from the power of *Imposing of Arms*, and may be severally granted or executed.

And now upon the whole matter, the state of Our case is this. It is Voted by Our Houses of Parliament, That Our Kingdom is in imminent danger of destruction from enemies abroad; and a discontented Party at home; and that
there

there is a necessity to put Our people into a posture of Defence.

In this case, for defence of Our selves and Our Kingdom, We have awarded Our Commissions of Array, thereby giving power to the Commissioners (persons, We hope, beyond exception) to cause Our Subjects to arm themselves or, if impotent in body, to find Arms for others, according to their abilities, in a reasonable and moderate proportion, and to muster and train them at convenient times and places, and afterwards, upon occasion to lead them, where there is a necessity for the defence of the Kingdom, and the Expulsion, vanquishing, and Destruction of Enemies.

And We have shewed, that the powers of these Commissions, are grounded upon the very principles of Government, and that without them, Wee could not defend, and protect Our Subjects, (as We are bound by Our Oath at Our Coronation) That they are warranted by the ancient Common Law, allowed by the constant practice of former ages established by the Parliament of 5 H. 4. (which caused a copy of these Commissions to be entred upon the Roll, as a Rule or President for after-times) and are not Repealed, or altered by any Statutes now in force.

And yet, though this Danger, and the necessity of putting the Kingdome into a Posture of Defence, is thus agreed by both Houses; nevertheless, this Commission, and all others of like nature, are by their Declaration said to be illegal; And it is thereby denied, That We have, at any time, Power to charge Our Subjects with any manner of Arms (though for the absolute necessary defence of the Kingdom) or that We can command them to be trained or exercised, much lesse to be led out of the County, though an Enemy be ready to enter, or though Rebels be actually up in Arms.

How far this opinion is consistent with Law, Reason, or Regall Power, the safety of Our selves, and Our Subjects, (upon all this which Wee have said) We leave to all Our good people to consider.

And since Our two Houses (denying Us this Power) without Us, and against Our consent, have made Orders (which they call Ordinances) for compelling Our Subjects to be Armed, Trained, Exercised, Mustered, and conducted, and send for Our Subjects as Delinquents, and imprison them, for refusing to obey such Orders; It is apparent, That what this Declaration saith against Our Commission, without just ground, is true indeed of those Orders, that is, That they are contrary to the Law and Customes of the Realme, destructive to the Liberty, and Property of the Subjects, and contrary to the Petition of Right (as it is expounded in this Declaration.) as also against other Statutes.

FINIS.

The

The Kings Majesties Charge sent to all the Iudges of
England, to be published in their respective
 Circuits, By His Majesties speciall
 Command.

Charles Rex.

TRusty and wel-beloved, We greet you well. Wee call to minde that in former times the constant custome was. by the mouth of the Lord Keeper for the time being, at the Court of Star-chamber, in the end of Trinity Terme, to put the Judges of Assise (shortly after to undertake their severall Circuits) in mind of such things as were then thought necessary for the present, for the good government of the Kingdome. This course in Our judgement Wee doe well approve of, That although Wee want the opportunity, which We and Our Predecessors then had, of communicating Our thoughts to Our Judges, for the good of Our People, yet Wee do still retain the same care for the safety and prosperity of Our good Subjects: And much more, by how much, the distempers and distractions of the present times, unhappily false, have given us more occasion. Wee have therefore thought it fit, to supply the defect by these Our Letters; wherein, besides the generall care of Our justice, committed to Us by God, and by Us delegated to Our Judges by Our severall Commissions, We recommend unto you in your Circuits, as Wee shall doe to the rest of your Brethren in their severall Circuits, these particulars following.

First, that you take care, by all the best means you can, to suppress Popery in all those Counties whither you are to go, by putting the Laws made against them in due execution: And that you take like care to give a stop to the overhasty growth of Anabaptisme, and other Schismes. as far as by the good Laws of the Land you may; and to punish the Delinquents with an equall hand, and those specially of either sort whom you shall discover to be seditious stirrers and movers of others to any Acts of disobedience to us, and our government; And that in Charge, and otherwise, as you shall have fit opportunity, you assure our good Subjects in our name, and in the word of a King, who calls God to witnesse, that by his gracious assistance we are constantly resolved to maintain the true Protestant Religion, established by Law in this Church of *England*, in the purity thereof, without declining either to the right hand or to the left, as wee found it at our accessse to the Crowne, and as it was mayntained in the

the happy times of *Queen Elizabeth*, and King *James* Our dear Father, both of happy memory, and therein both to live and die.

Secondly, You shall let Our People of those Countiees know, That, according to Our Kingly Duty and Oath, We are also constantly resolved to mayntain the Lawes of this Our Kingdome; and by, and according to them to governe Our Subjects, and not by any Arbitrary power, whatsoever the Malevolent Spirits of any ill affected to Our Person or Government, have suggested, or shall suggest to the contrary. And that Wee shall also mayntaine the just Priviledges of Parliament, as far as ever Our Predecessors have done, and as far as may stand with that Justice which we owe to Our Crown, and the honour thereof: But that We may not, nor will admit of any such unwarranted power, in either, or both Houses of Parliament, which in some things hath been lately usurped, not onely without, but against Our Royall Consent and Command. And We require and command you, as there shall be just occasion offered, in a legall way, that you take care to preserve Our just Right in these cases.

Thirdly, We charge you, as you tender the peace of this Kingdome, in the Government whereof, according to the Laws, you Our Judges of the Law have a principall part under Us, that you take care for suppressing of all Insurrections, if any such should happen, and of all Riots and unlawfull Assemblies under any pretence whatsoever, not warranted by the Laws of this Land; and whosoever shall transgresse therein, that you let them know that they must expect that punishment which by the Law may be inflicted upon them, and at your hands We shal look for such an account herein, within your Circuit, as becommeth the quality of the place wherein you serve Us.

Fourthly, because the distempers of the present times, unhappily stirred up and fomented by some, under specious, but unjust pretences, and probable to stirre up loose and ungoverned people, under hope of impunity as far as they dare to make a prey of Our good Subjects, We straitly charge and command you to take the best order you can in those Countiees, That Rogues, Vagabonds, and other disorderly people may be apprehended, dealt with and punished according to the Laws, whereby the good and quiet people of Our Kingdome may be secured, and the wicked and licentious may be suppressed: and We charge and command you to give it in charge in all the Countiees whither you are sent by our Commissions, that Watches and Wards be straitly kept in all Parishes and places convenient, whereby the Lawes made against such disorders may be put in due execution.

Fifthly and lastly, you shall let Our people of those Countiees know from Us, and by Our command, that if they shall professe unto Us, or unto you in Our

stead, any thing wherein they hold themselves grieved, in an humble and fitting way, and shall desire a just Reformation or Relief, Wee shall give a gracious care unto them, and with all convenience returne them such an answer, as shall give them cause to thank Us for Our Justice and Favour: And when you shall have published Our cleere intentions to Our people in these things, lest at the first hearing they should not so fully apprehend Our sense therein, you shall deliver a copy of these Our Letters to the Fore-man of the Grand-Jury, and to any other, if any one shall desire copies of these Our Letters for their better information; And to the end that Our services in your Circuit may not suffer through the absence of Our learned Counsell, Our Will and Command is, that you assigne in every place of your Sessions some of the ablest Lawyers who ride that Circuit to be of Counsell for Us, to assist in such Pleas of the Crown, that may be most necessary for Our service in the execution and punishment of notorious Delinquents.

Of all these things Wee shall expect that good account from you, as Wee shall from the rest of your Brethren Our Judges, to whom Wee have also written to the like purpose, of whose fidelity and good affections We are confident as becommeth Us to look for from you, and for you to render to Us, wherein you have so great a trust committed.

Given at Our Court at York, 4 July, 1642.

To Our trusty and welbeloved the Judge or Judges of Assize for Our Counties of Kent, Surrey, Suffex, Hartford, and Essex.

By the King.

A Proclamation against the forcible Seizing or Removing
any the Magazine or Ammunition of any County.
And concerning the Execution of the *Mis-*
litia within this Kingdom.

VV Hereas by Our Proclamation of the twenty seventh of May last, in pursuance of, and according to the Lawes, and usages of this Realme. We did in Our care of the peace of the Kingdom command all Our Sheriffs, and all Colonels, Lieutenant Colonels, Serieant Majors, Captains, Officers and Soldiers belonging to the Trained bands of this our Kingdom, and all High and Petty Constables, and

and other our Officers and Subjects, not to muster, Levie, Raise, or March, or to Summon or Warn upon any Warrant, Order or Ordinance from one or both Houses of Parliament (wherto We had not or should not give our expresse consent) any of our Trained Bands, or other Forces, to Rise, Muster, March, or Exercise without expresse Warrant under Our Hand, or Warrant from our Sheriffe of the County, grounded upon a particular Writ to that purpose under our Great Seal. And We did thereby publish, in case any of our Trained Bands should Rise or gather together contrary to that our Command, Wee should then call them in good time to a strict Account, and proceed legally against them as v'olaters of the lawes and disturbers of the peace of the Kingdom.

And whereas we did likewise by our Proclamation of the eighteenth day of Iune last, for the reasons therein expresse, Charge and command all our Officers, and Ministers, that they should use their utmost endeavours for the suppressing of all Levies and Forces, raised or to be raised without our consent, As also all other our loving Subjects, that they should be attending, aiding and assisting our said officers and ministers therein.

And wheras We have awarded into the severall Counties of our Kingdom of England and Dominion of Wales our severall commissions of Array, thereby giving power to severall persons of Honour, Reputation, and Estate in the said Counties, for the safety and defence of Us, our Kingdom, and our good Subjects from time to time as it shall be needfull to Array, Train, Arm, and Muster our Subjects inhabiting in the said Counties, and in case of imminent danger to conduct and lead them for the destruction of our Enemies, and in the defence of the Country and the Kingdom, Whereof by our Proclamation of the twentieth day of Iune last, we gave notice to all our Subjects, and did thereby further Charge and Command all our officers and ministers, and other Our Loving Subjects, that they be attending, ayding, assisting, counselling, and at the commandment of the commissioners of our severall Counties respectively in the execution of their said Commissions, as they would answer the contrary at their utmost perils. And wee did thereby also declare, That whosoever, after that our proclamation published, should do any thing in opposition of our said Commissioners by disobeying their Commands, according to Law, or putting in execution any other command concerning the Militia of our Kingdom contrary to Law, we should account them unworthy of our Grace and Mercy, and such as must expect that Justice (how Penall or Capitall soever it be) should be done upon them according to their Demerits.

Since which time we understand, some ill-affected persons intending the disturbance of the peace of this Kingdom, and the wakening and impairing

of our strength, under colour and pretence of some Order, or pretended Ordinance, of one or both Houses of Parliament, without Our consent, or without any Commission or warrant from Us, have in great numbers forcibly seized upon, and taken into their owne hands and power, some part of the Magazine and Ammunition, provided and placed for the safety and defence of this Kingdome, and carryed the same from the place where the same was by Common consent formerly laid up, to their owne houses or possessions, and have also taken into their possessions, and disposed at their pleasures, the Armes of others of the Trained Bands without their consents, whereby they are unarmed (what occasion soever shall happen) for the defence of Us and Our Kingdome, And have threatened and endeavoured to arrest, apprehend, and imprison, or procure Warrants, for the apprehension, arresting, and imprisoning of some of Our Subjects, for obeying some of Our said Commissioners in their Commands according to the Tenors of their said Commissions, or for endeavouring to suppress Rebels or Forces raised without Our Consent, or for refusing to obey the Orders, or pretended Ordinances, of one or both Houses of Parliament, made without Our Consent, concerning the Militia of Our Kingdom: Which we cannot interpret to be lesse then indeavours (as much as in them lyeth) of Leving War against Us, and of discouraging Our Subjects from assisting Us in the iust and necessary Defence of our selfe and Kingdome.

We doe therefore, by this Proclamation expressly charge and Command all Our Sheriffs, Justices of the Peace, Mayors, Bayliffs, Constables, and all other Our Officers and Subjects whatsoever, upon their Allegiance, and as they tender the Peace of this Kingdome, not to Seize, Remove, Displace, or intermeddle with the Magazine, or Ammunition, or belonging to the severall and respective Countiees of this Our Kingdom of England, or Dominion of Wales, or any of them, or any part thereof upon any such Order or Ordinance made or to be made, by one or both Houses of Parliament, whereunto We have not, or shall first give Our expresse Consent.

And We do likewise Charge and Command all Our said Officers, and Ministers, and other Our Subjects whatsoever, that they use their utmost endeavours (as in their duties they are bound) for the arresting and apprehending of all such persons, as shall with any manner of force by colour of any such Order or Ordinance made or to be made, by either or both Houses of Parliament, without or against Our consent, detain or keepe any Magazine, or Ammunition, or the Armes of any of Our Trained Bands so seized, removed, displaced, or shall hereafter under colour of such Order or Ordinance

Ordinance made or to be made, Seize, Remove, Displace, or intermeddle with the Magazine or Ammunition, of or belonging to the severall and respective Counties of this our Kingdome of England, or Dominion of Wales, or any of them or any part thereof. or with the Armes of any of Our Trained Bands there, or as Commissioners, or Commanders, shall hereafter put in execution any such Order or Ordinance made or to be made, by either or both Houses of Parliament, without Our consent, concerning the Militia, by Levying, Arraying, Traying, or Mustering any of Our Subjects, or who shall by colour of any such Order or Ordinance, of either or both Houses of Parliament, made or to be made apprehend or arrest any of Our Subjects, for Endeavouring to suppress any Levies, or Forces raised or to be raised without Our consent, or for refusing to obey the said Orders or pretended Ordinance, touching the Militia, And also for the arresting, and apprehending of all such persons, as for the advancing or Countenancing of the Execution of any such Order or Ordinance, made or to be made without Our Consent concerning the Militia, shall actually endeavour to apprehend or arrest any of our Subjects, for obeying Our Commissioners of Array in their lawfull Commands, according to the Tenure of their said Commissions respectively, and the said offenders so arrested and apprehended, to carry to the Common Goal of the said County, where the said Offenders shall be so apprehended or arrested, there to remaine till they shall be delivered by due course of Law.

Given at Our Court at Yorke, the fourth day of July, in the Eighteenth year of Our Reign. 1642.

By the King.

A Proclamation forbidding all Relieving or succouring of the Town or County of *Kingslon* upon *Hull* against His Majestie.

V Whereas our Town and County of *Kingslon* upon *Hull*, is, and hath for some Moneths last past been withheld from us: and our entrance into the same trayterously resisted and opposed with great force and numbers of armed men, commanded and directed by Sir John Hotham, who (we understand) is now labouring to seduce moze of our loving Subjects to help and assist him in that odious and Traiterous action.

We do, by this Proclamation, straitly Charge and Command all our loving Subjects, that they do not give him any Assistance, Aid or Succour, by their own persons, or by sending any other thither, or by Conveying or

causing to be conveyed into the said Town or County any Persons, Money, Arms, Ammunition, Victuals, or any other Aid or Succour, for or towards the keeping or defending of the said Town or County against us, or any sent or to be sent by us for the removing of the unlawful Forces there, and taking possession of our Fort, Port, Arms, and Ammunition there.

And hercof we charge all our loving Subjects to take notice, and to give present and full obedience hereunto as they will avoid the danger of falling into the detestable Crime of Treason.

Given at Our Court at York the fourth of July, in the eighteenth Yeer of Our Reign. 1642.

By the King.

VVE taking into our Princely consideration, That under the colour of some Order or Ordinance of one or both our Houses of Parliament, others of our good Subjects not otherwise ill-affected to our Person or Service, have taken up Arms in our town and county of Kingston upon Hull, under the command of Sir Iohn Hotham, without and against our consent, and have with-holden and continued the defence thereof against us, when in our own person we demanded the same to bee delivered unto us, by which act they may have beene misled and abused under the pretence of a lawfull Authority, and so have ignorantly fallen into the detestable crime of High Treason, by leuying and maintaining of War against us.

W^here, out of our Grace and Princely goodnesse, pittying those who have been misled, and being willing to extend our favour unto such officers and Souldiers, who now seeing their Error, shall lay hold thereof and lay down their Arms, and withdraw themselves out of the said Town and County, do hereafter, in any form of Law which shall be required, freely pardon unto all those our Subjects, other then the said Sir Iohn Hotham which have thus offended us and our Laws, and shall for ever have lay hold of this grace freely offered unto them, all, and all manner of Penalties and Forfeitures whatsoever, which they have incurred by reason or occasion of the premises, of whatsoever nature or qualitie the same offences be. So that neither we, nor our Heirs, or Successours, or any others on our behalf, shall any way impeach, sue, or molest them or any of them, for or by reason of the same. And hercof we will and require all our loving Subjects, whom it may concern, to take notice, at their perils.

And of our Grace and bounty, we do hereby promise, That to such of our
said

said Subjects as shall thus lay hold of this our gracious Favour, we shall give our free Passe to convey themselves to their abroad, and to pay unto them in hand one full Moneths pay, therewith to relieve themselves untill they shall dispose of themselves or be otherwise disposed of by us to their good contentment.

Given at our Court at York the fourth day of July, in the eighteenth Yeer of our Reigne. 1642.

A Declaration of the Lords and Commons assembled in Parliament, Concerning the publishing of divers Proclamations, and Papers, in forms of Proclamations in His Majesties Name.

VV Hereas severall Proclamations, Declarations, and Papers in forms of Proclamations have issued out in His Majesties Name, commanding Parsons, Vicars, Curats, Sheriffs, Majors, Bailiffs, and other Officers, to publish and proclaim the same, being contrary to Law, and to divers Orders, Ordinances, and Declarations of both Houses of Parliament, and much to the scandall and derogation of both the said Houses.

Be it Ordered and Declared by the Lords and Commons in Parliament, That no Sheriff, Major, Bailiff, Parson, Vicar, Curate, or other Officer, shall from hence-forth publish or proclaime, or cause to be proclaimed or published, any such Proclamations, Declarations, or Papers which are or shall be contrary to any Order, Ordinance, or Declarations of the said Houses of Parliament, or tending to the scandall or derogation of their proceedings, but shall use all lawfull ways and meanes to restraine and hinder the proclaiming and publishing thereof. And all Sheriffs, Majors, Bailiffs, Parsons, Vicars, and Curats, or other Officers that have forborn or refused, or shall forbear or refuse to publish or proclaim any such Proclamations, Declarations, or Papers as aforesaid, or have or shall hinder the publication thereof, shall be protected by the power and authority of both Houses of Parliament.

O Rdered by the Commons in Parliament, That this be forthwith Printed and published.

At. Elsyng Cler. Parl. Dom. Com.

Die Lune, 4 Iulii, 1642.

IT is this day Resolved upon the *Question* by the Lords and Commons in Parliament assembled, That in case any force be brought out of one County into any other County of this Kingdom, to disturbe the peace thereof; That the Lord Lieutenants and Deputy-lieutenants of the Counties adjoyning, upon notice given unto them of such disturbance, by the Lord Lieutenant or Deputy Lieutenants where such disturbance is made, be hereby required to give aid and assistance to the said other Lord Lieutenants and Deputy Lieutenants or any of them, so requiring the same, for the present suppressing of such force and disturbers of the peace, by *Voluntiers*, and such of the Trained Bands of their severall Counties that shall voluntarily go to give their assistance.

H. Elsing Cler. Parl. Dom. Com.

His Majesties Speech
**To the Knights, Gentlemen, and Freeholders of the
 County of Nottingham, at Newark.**

GENTLEMEN,

YOur honest Resolutions and Affections to me and your Countrey, for the defence of my Person, and the Laws of the Land, have been, and are so notable, that they have drawne me hither onely to thank you: I go to other places to confirme and undeceive my Subjects, but am come hither onely to thanke and encourage you: You have made the best judgement of happinesse, by relying on that foundation, which the experience of so many hundred yeeres hath given such prooffe of; The Assurance and Security of the Law: and assure your selves when Laws shall be altered by any other Authority, then that by which they were made, your foundations are destroyed; And though it seemes at first but to take away my power, it will quickly swallow all your Interest; I ask nothing of you (though your demeanour gives me good evidence that you are not willing to deny) but to preserve your own Affections to the Religion and Laws established; I will justifie and protect those Affections, and will live and die with you in that quarrell.

His Majesties Speech

To the Knights, Gentlemen, and Freeholders of the
Countie of *Lincolne*, at *Lincolne*.

GENTLEMEN,

IF I could have suspected your affections, or have censured the duty of this Countie by some late Actions in it, I should not have taken this paines, to have given you a Testimonie of my affection to you, and to remove those Objections, which being raised by a Malignant Partie, may, by their cunning and industry, get credit even with honest mindes. The truth is, I come to you to assure you of my purposes and Resolutions, for the defence of what ever is or should be deare unto you, your Religion, your Libertie, your Common Interest, and the Law of the Land : and to undeceive you of that Opinion, which I heare hath mis-led many of you, That the pretended Ordinance of the *Militia* is warranted by my Consent and Authoritie. As I have already informed you, by my severall Declarations and Messages, that the same is against the known Law, and an Invasion of my unquestionable Right, and of your Libertie and Property, so I do now declare unto you, that the same is imposed upon you against my Expresse Consent, and in contempt of my Regall Authoritie; And therefore whosoever shall henceforth presume to Execute or Obey the same, I shall proceed against them, as against such who promote Rebellion, and actually leavie War against me : And I doubt not, but you will sadly consider, That if any Authoritie without and against my Consent may lawfully impose such Burthens upon you, it may likewise take away all that you have from you, and subject you to their lawlesse Arbitrarie Power and Government : And how far they are like to exercise that Jurisdiction towards you, you may guesse by the Insolence of Sir *John Hotham* at *Hull*, who (being a Subject) not only presumes to keep his Sovereigne, by force of Arms, out of His Town, but murders his Fellow-Subjects, imprisons them, burnes their Houses, drowns their Land, takes them Captives, and commits such Outrages and Acts of Hostilitie, as the most equal & outrageous Enemies practise in any Countrey ; That you may see how impossible it is for your Liberties and Properties to be preserved, when your King is Oppressed, and His just Rights taken from Him. Who hath brought these Calamities upon your Neighbours at *Hull*, every Man sees ; and they onely can bring the same upon you. I will not beleeve you to be so insensible of the benefits you have received from me, that I need put you in mind of the Gracious Acts passed by me this Parliament on your behalves ; And if there be any thing wanting to the making you the happiest Subjects in the world, I am sure it is not my fault, that you have

not that too : Be not deceived with words and Generall Expressions ; It is not in your Power to name one Particular, which might make you happy, that I have refused to Grant : Be not frightened with Apprehensions, That this Countrey is like to be the Seat of a War ; the Seat of a war will bee onely where persons rise in Rebellion against me ; that will not, I hope, be here, and then you shall be sure of my Protection. I will live and die in your Defence. And that you may be in a Readinesse, and a Posture to Defend your selves and me against any Invasion or Rebellion, I have Armed severall Persons of Honour, Quality, and Reputation amongst you, and of your own Countrey, with a Commission of Array to that purpose. There is no honest end declared in that Ordinance, which is not provided for by this Commission, which being according to the old known Law, is fit for your Obedience, and I doubt not will finde it.

In a word, I assure you, upon the Faith and Honour of a Christian King, I will be always as tender of any thing which may advance the true Protestant Religion, protect and preserve the Lawes of the Land, and defend the just Priviledge and Freedome of Parliament, as of my Life, or my Crown : and when I faile in either of these, I will not looke for your assistance ; till then you are concerned not to see me suffer.

FINIS.

His Majesties Message

To both Houses of Parliament of the eleventh of *July*, with the Proclamation ensuing, 1642.

BY Our former Declarations and this Our Proclamation (which We hereby send you) you and all Our good Subjects may see the just grounds of Our present Journey towards Our Town of *Hull*. Before Wee shall use force to reduce that place to its due Obedience, We have thought fit once more to require you, that it may be forthwith delivered up to Vs (the businesse being of that nature that it can admit no delay) Wherein if you shall conform yourselves, We shall then be willing to admit such addresses from you, and returne such Propositions to you, as may be proper to settle the Peace of this Kingdom, and compose the present Distractions. Do your duty herein, and be assured from Vs in the Word of a King, that nothing shall be wanting on Our part that may prevent the Calamities which threaten this Nation, and may render Our People truly happy. If this Our Gracious invitation shall be declined, God and all good men judge betwixt Vs. We shall expect to receive satisfaction herein by your Answer to be presented to Vs at *Beverley* upon Friday next, being the fifteenth day of this present July.

By the King.

A Proclamation declaring Our purpose to go in Our Royall Person, to Hull; And the true occasion and end thereof.

WE having long complained of the high affront done unto Us in Our Own Person by Sir John Hotham, when We went to Our town of Hull to view Our Magazine and Arms, Our own proper goods (if We shall be allowed to call any thing Our own) which then were there, and since by, and under colour of Orders made by both Our Houses of Parliament, not onely without but against Our Consent, violently taken and carried from thence, and for that the Town it self being the Principall Fort and Port of these Northerne parts of this Kingdom, in a Warlike manner, with many hundreds of Souldiers hath been kept and maintained against Us as a Garrison and Town of War, as against an Enemy; And that by the Practice of a malignant Party, which hath too great an influence upon Our two Houses of Parliament, in stead of repairing Our Honour for this Indignity, severall Orders and Votes of the said part then present, have been made to iustifie all this as Legall; which Orders and votes would have Us, and others, to beleve, upon the many Protestations in Print, That there hath been nothing done therein (as in many other things of that nature) but for the safety of Our Person, the Honour of Our Crown, and the good of the Kingdom; as if words directly contrary to these Actions of Hostility could satisfie Us, or any reasonable man, not blinded with self opinion, or abused and misled by vain and false surmises or groundlesse Jealousies; We have now looked somewhat more narrowly into the manner of Sir John Hothams carriage in this his imployment, and did finde by the certain Relation of others, That for the Fortifying of the Place against Us, his Liege Lord, he hath used the help of Art in making out works to defend the Town; he hath purposely cut the Banks, and let in the waters to drown the Land passages, and to make the Town inaccessible by that way; he hath set forth a Pinnace (amongst other good Services) to intercept a Pinnace of ours employed for carrying of Letters, Postages and Passengers between Us and Our Dearest Consort the Queen; he permitteth his Souldiers to issue out of the Town, and forage upon the Countrey, he hath not onely unlawfully but Tyrannically cast out divers Inhabitants of the Town from their dwellings, because he could not Conside in them; he hath disarmed all the Townsmen, that he might put the sole power in the Souldery under his command

command; he both compell some others of the Inhabitants, desirous to depart the Town with their families, to abide and continue there against their wills, and by dispoſing of the lands about the Towne in manner as aforesaid, he hath destroyed the Pastures, Medowes and Corn-lands within that compasse, containing some thousands of Acres of very fruitful grounds, amounting to a great value, to the great impoverishing of the owners and occupiers thereof; And he hath for divers moneths, continued in pay many hundreds of Souldiers, and endeavoureth, under pretence of Authority from the two Houses of Parliament, to increase their number from the Countie of Lincoln adioyning, and from other places; and this at the publique charge of the Kingdom, and out of those monies provided for the relief of the miseries of Ireland, and payment of the great debt to Our Kingdom of Scotland.

Whereupon, We being very sensible of this extream dishonour to Us, That a Town of such importance, and so neer to the place of Our present Residence, should be thus fortified, kept and maintayned against Us; That the Port and Passage by Sea should be defended against Us by Our own Ships, under the conduct of the Earl of Warwick, who being legally discharged by Us of his employment at Sea, by Our Revocation of the Commission formerly granted by Us to the Earl of Northumberland, and by Our command signified unto him under Our own hand, to deliver the command of Our Ships into the hands of another person named by Us, hath notwithstanding Our said Commands (to which the Earl of Northumberland paid a dutifull obedience) presumed not onely to dispossesse Us of Our said Ship, but to employ it against Us, and to take Prisoners such of Our Captains as expressed a loyalty to Us, according to their oaths and the duty of Subjects; And that a Ship of Ours lately employed for Our particular Service into Holland, and returning from thence with some of our proper Goods, hath been chased by them as an Enemy, and enforced for her safety, to put into a small Creek within five miles of that Town, and there to run on ground, to the great hazard of Our said Vessel; and that both Our Ship and Goods there were yet remaining in danger to be surpris'd by Our own Subjects, We took a Journy on Wednesday the fifth of this moneth from York towards the said Creek, to take a view of Our said Ship and Goods thus exposed to danger; We having just cause to fear that Sir John Hotham, and others of his Confederacy, would (for Our good, and the good of the Kingdom) make prize of these also; and by the opportunity of that journey, We Our Self are now fully informed of the certainty of those things, which We had before received but from the relation of others; and there received a lamentable Petition of Our Subjects of those parts, complaining of the unheard of Insolence and Barbarisme of Sir John Hotham,

and desiring Our iust and necessary Protection of them from those cruell Oppressions.

Upon all which Considerations, that We may at length, after this long patience, do that right to Our Honour, Our crowne and royall Dignity, and to Our good Subjects in generall and those of and neer to Our Town of Hull in particular, which We had reason to have expected from Our two Houses of Parliament; but have failed of the fruit of Our long expectation, by the malice of some ill-affected spirits amongst them, who study nothing more then by false pretences to amuse and abuse Our good people; We have taken this Resolution, by Gods blessing, and the Assistance of Our good Subjects, to forze Sir John Hotham and all that shall take part with him in the uniuert and Treasonable Defence of the Town of Hull against Us, to that obedience which is due by Subjects to their Liege Lord and Sovereign, and to resist the Assistance intended to Sir John Hotham from Our said County of Lincoln and other places adioyning, if they shall attempt it. And to this purpose We will and require all Our loving Subjects to preel their best Assistance of what kind soever to so necessary a defence of our Person, and iust vindication of so great an iniury offered unto Us, to the dishonour of this Nation. And We do declare, That whosoever shall give Us their cheerfull help at this time, and to this purpose, either with Men, Horse, Arms or money, to be brought, sent or conueyed unto Us, We shall look upon it as a Service never to be forgotten.

And this We publish to all Our Subjects, and to all the world, that they may truly understand the cleering of Our Intentions herein, as we shall do in all other things concerning Our Government; And that We do, and euer shall maintain those Resolutions We have professed so often, and so seriously by Our former Declarations, That We will continue and defend the true Protestant Religion as it is by Law established in the Church of England, The Laws of the Land, The Rights and iust Liberties of Our Subjects, equally to and with Our own iust Prerogative. And the true Priviledges of Parliament, And never infringe any Act consented to by Us this Parliament, And that We have not, nor ever had the least thought of making War upon Our two Houses of Parliament, as hath been slanderously and maliciously published. And these things, not Our words onely, but all Our Actions shall make good. And in this Resolution and the iust Observation thereof We shall both live and dye.

Given at Our Court at Beverley the eighth day of July in the eighteenth yeer of Our Reigne. 1647.

FINIS.

Instructions.

Additions to the Instructions for Deputy Lieutenants, which you shall find in folio 358.

THat any one or more, already allowed by both Houses of Parliament, to be a Deputy Lieutenant, or Deputie Lieutenants in any County, or any other two persons or more in every County, Citie, or Borough, which shall be approved by both Houses, shall have power to put the Propositions in execution, in all points according to the former Instructions.

That the Knights, Citizens, and Burgeffes of the severall Counties, Cities, and Boroughs within this Realme, be required with all speed to commend these Propositions to their severall Counties, Cities, and Boroughs respectively, to be put in execution.

That the Persons aforesaid may have power to name one or more in each County, to take the subscriptions of those who will prepare Horses in readinesse for the ends proposed in the Propositions; and to inroll them, and appoint Officers, and from time to time to view them, and to see they be completely armed, and exercised in the respective Counties.

That whosoever shall bring in one or more Horses without Arms, or Money to find them, may have his or their Horses valued, and listed by such as are appointed in the respective Counties, the owners of those Horses engaging themselves to bring them in for the service of the Common-wealth, when they shall be required by any Authority to that purpose by both Houses of Parliament.

That all such Horses as are subscribed by the Members of either House, or by the Citizens of *London*, may be shewed and inrolled by Saturday next, the ninth of July instant, that they may be divided into Troops, and trained.

A Declaration of the Lords and Commons assembled in Parliament.

VVHereas question hath been made by some Persons, Whether the time for subscriptions of Horse, Money and Plate, according to Propositions lately published by the Lords and Commons in Parliament, were not limited to fourteen dayes after notice given, to all within the City of *London*, and sixty miles distant from the said City; The Lords and Commons do declare, That they did not prescribe any time for such subscriptions, but onely desire, such as were within the said City, or within such a distance, to hasten the bringing in Money, Plate, and Horses, as much conducing to that service. And they doe further declare, That whosoever shall yet bring in Money, Plate

or Horſes, or ſubſcribe, to bring in any Money Plate, or Horſes, according to the ſaid Propoſitions, and to the ends therein mentioned, ſhall do an acceptable ſervice to the Common-wealth, and ſhall have the ſame Conſideration, Conditions and Protection, as is expreſſed in thoſe Propoſitions, onely it is ſtill deſired, that it may be done with all convenient ſpeed.

July 5. 1642.

Ordered that this be forthwith Printed and publiſhed.

Hi. Elking Cler. Parl. Dom. Com.

VOTES. Die Martis, 12 July 1642.

Resolved upon the *Queſtion*, That an Army ſhall be forthwith raiſed for the ſafety of the Kings perſon, defence of both Houſes of Parliament, and of thoſe who have obeyed their Orders and Commands, and preſerving of the true Religion, the Laws, Liberty and Peace of the Kingdom.

Resolved upon the *Queſtion*, That the Earle of *Essex* ſhall be the Generall.

Resolved upon the *Queſtion*, That this Houſe doth declare, that in this cauſe for the ſafety of the Kings perſon, defence of both Houſes of Parliament, and of thoſe who have obeyed their Orders and Commands, and preſerving of the true Religion, the Laws, Liberty and Peace of the Kingdom, they will live and die with the Earle of *Essex*, whom they have nominated Generall in this Cauſe.

Resolved upon the *Queſtion*, That a Petition ſhall be framed, to move his Maieſtie to a good accord with his Parliament, to prevent a Civill War.

The Petition being drawn, was agreed unto upon the *Queſtion*: and with theſe Votes were preſented unto the Lords. Who returned Answer, they did concur with the Houſe of Commons, *in omnibus*.

Whereupon both Houſes ordered, that the Earle of *Holland*, Sir *John Holland*, and Sir *Philip Stapleton* ſhould forthwith repair to *Beverley*, and preſent the Petition unto His Maieſty.

The Meſſage of the 11 of July came to the Houſe of Peeres, after this Petition was agreed on; being ſo full an Answer thereunto, as both Houſes reſolved to give no other Answer to that Meſſage, but the ſaid Petition.

Resolved upon the *Queſtion*, 14 July, 1642.

That all the Members of this Houſe that have ſubſcribed for the bringing in of Horſe, Money, or Plate, doe bring in the ſame by Tueſday next, and that a Report be made then to the Houſe who are defective herein.

Resolved upon the *Queſtion*, That the Earl of *Bedford* ſhall be Generall of the Horſe.

Hen. Elking. Cler. Parl. Dom. Com.

A Declaration by the Lords and Commons in parliament, declaring that none shall apprehend, or arrest any of His Majesties Subjects or servants that obey the Ordinance of parliament, under pretence of His Majesties Warrant.

Mercurius 12. July 1642.

THe Lords and Commons in Parliament do declare, that it is against the Laws and Liberties of the Kingdom, that any of the Subjects thereof should be compelled by the King to attend him at his pleasure, but such as are bound thereto by speciall service: And if any Messenger or Officer shall by colour of any Command from his Majesty, or warrant under His Majesties hand, arrest, take, or carry away any of His Majesties Subjects to any place whatsoever contrary to their wils. That it is both against the Lawes of the Land, and the Liberties of the Subject, and is to the disturbance of the publike peace of the Kingdom, and any of his Majesties Subjects so arrested, may lawfully refuse to obey such arrests and commands.

Ordere*d by the Lords in Parliament, That this Declaration shall be forthwith printed and published.*

John Brown, Cleric. Parl.

A Declaration of the Lords and Commons assembled in Parliament, for the preservation and safety of the Kingdom, and the Town of *Hull*: with the assurance of both Houses, to satisfie all losse sustained by any service done for the safety of the said Towne, by reason of the overflowing of the water upon any the grounds there, to all persons that shal be found faithful in their severall services.

AS in all our endeavours since this Parliament began, we intended wholly the advancement of His Majesties honour and safety, and the regainment of the ancient (though of late yeers much invaded) Rights, Laws, and Li-

Liberties, being the birth-right of the Subjects of this Land, and feeling of the true Protestant Religion (the glory of our Nation) in peace and purity; so did we no lesse hope for, and expect His Majesties concurrence in those particulars, they being the very foundation of His Majesties present honour and greatness, and the fountain of perfect and future blisse to himself, and all His loyall Subjects, which too evidently we see our selves (by the wicked Councellours now unmasked about His Majesty) not only deprived of, but instead thereof open war declared, and prosecuted against his Majesties loyall Subjects of *Hull*, and elsewhere in this Kingdom, far unfutable to such Declarations of love and peace, as His Majesty hath frequently promised and published to the Kingdome, and in particular to the Countrey of *Torke*, with solemne Protestations that Hee would not, nor had it entred His thoughts to make war against His Parliament, which how agreeable they are to the present courses of His Majesty and Councellours, specially since from his Agents abroad He received provisions fit for war, which immediately have bin put on for execution, we refer to the whole world to judge of.

But however those promises and protestations have been no sooner made, but broken, and our hope of peace and safety thereby wholly disappointed. Yet that it may appear to all Ages to come, that as in duty we are bound (the Kingdom having intrusted us) so wee have not, nor will be found wanting in the least degree of our care and providence (God assisting us) for the preservation of the whole Kingdom, and Town of *Hull*, and the Inhabitants thereof from violence, and ruine, though for the effecting thereof His Majesty hath proceeded to many hostile preparations and acts, by having got divers Peeces of great Ordnance, and other warlike provisions both of horse and foot, for the taking in of the said Town, and His other designs, and by cutting off their fresh-water, intercepting and restraining of victuals and other necessities for their subsistence and livelihood, as if to obey the Parliaments Commands (that being Sir *John Hothams* Crime) though never so much for the safety of the whole Kingdom, were so capitall an offence, as nothing but death, ruine, and destruction could expiate.

Wherefore wee the Lords and Commons in Parliament assembled have thought fit, and doe hereby declare, That whereas Sir *John Hotham* Governour of *Hul* by the speciall Order of the Parliament appointed for that service, hath been forced for the prevention of the sudden surprisall, and destruction of the Town, and the Inhabitants thereof, to let in some Tydes from *Humber* upon the grounds adjoining to the said Town, which for present could not otherwise have bin secured; We do therefore hereby promise and assure all and every such person and persons whatsoever, either the Owners, or Farmers of any the said

grounds which shall be impaired by this over-flowing of the water, full and ample satisfaction for all such losse as they or any of them shall thereby sustain (except such persons only) as formerly have been, now are, or hereafter shall be found the stirrers up, Abettors, or furtherers of any such way, or means as have, or may conduce to the endangering, or annoyance of the said Town of *Hull*, or the Governour thereof in his service and duty therein, or shall any way disturbe the peace and safety of the said Towne, or any the Inhabitants thereof, who stand well affected thereto. And wee doe also declare, That Wee the Lords and Commons in Parliament assembled, will not onely protect, secure, and save harmlesse all and every such person & persons whatsoever, as have or shall either by Sea, or Land provide, furnish, or deliver any provision of victuall, beer, or other thing whatsoever for the relief and safety of the Garrison of *Hull*, but shall also make good payment for the same, and thankfully accept thereof, as good service done to the Kingdom, any pretended warrant issued, or hereafter to be issued out under the colour of any name or authority whatsoever to the contrary notwithstanding: And for as much as we are informed that some of the Inhabitants of *Hull* stand firmly resolved in their good affections to the service, and safe keeping of the said Towne, for the good of the King and Kingdom. We thought fit also to declare, That all such of the Inhabitants thereof as shall continue well affected to the said service, and stand close in their fidelity and assistance to the Governour thereof; wee doe hereby assure and promise them, that they shall receive from us protection and encouragement answerable to such a service, as will be very acceptable unto us, in respect of the importance of it for the preservation of Religion and safety of this Kingdom. And lastly, We doe declare our acknowledg^{mt}, acceptance, and approbation of that prudent valour, vigilancy and faithfulness of the Governour, Officers and Souldiers imployed in the said Towne, both for the discovery of plots formerly contrived for the betraying of the said Town, and their undaunted Resolutions to keep the same against whomsoever for the service of His Majesty and Kingdom; And doe promise and assure them, that every particular good service done or to be done by any Commander or Souldier serving, or to serve therein, shall be rewarded as shall answer the greatness of this Kingdom, and the quality of the service.

Ord^{ed} by the Lords and Commons, That this be forthwith Printed and published.

H. Elsyng Cler. Parl. D. Com.

F 1 N 1 S.

A Declaration of the Lords and Commons now assembled in Parliament, concerning the miserable distractions and grievances this Kingdom now lieth in, by means of Iesuiticall and wicked Councillors now about His Majestie.

IT cannot be unknown to the World, how powerfull and active the wicked Councillors about His Majestie have been both before and since this Parliament, in seeking to destroy and extinguish the true Protestant Religion, the Liberty, and Lawes of the Kingdom; and that after many traiterous endeavours against the Parliament, by Gods providence discovered and frustrated; they drew His Majesty into the Northern parts, and in His Name did publish divers false scandals and ignominious Reproches against the Lords and Commons, making His Majesties Court a Sanctuary for all kind of Delinquents against the Justice and privilege of Parliament, and drawing to *York* by Letters, and other means, divers Members of both Houses, and setting up there a counterfeite imaginary usage of the great Councell of Peeres, in opposition to the Parliament, to the great danger, not only of the disturbance, but even of the subversion of the originall constitution and frame of this Kingdom.

And that the way to the great change in Religion and Government intended, might be made more easie and passable: many of those who have shewed themselves faithfull to the Cause of God and the Kingdom, either in Parliament or in the Country are put out of the Commission of Peace, and other publike employments. The Sheriffe of *Leicester* there labouring to keepe the peace, when Master *Henry Hastings* marched from *Loughborough* in *Leicester* with about 200 Foot, and 100 Horse, of which, many were drawne out of *Darbyshire*, Armed in a warlike manner, with Pistols, Pikes, and Muskets, their Drums beating, and Colours flying, intending to seize upon the Magazine of the County, was for his good service put out of his Office; and Master *Hastings*, the person who committed this out-rage made Sheriff in his place. Divers great Lords His Majesties Servants in places of neernesse and trust; Persons of high honour, merit, and abilities; as the Earls of *Pembroke*, *Essex*, *Holland*, and the Lord *Fielding* displaced, for no other cause but discharging their conscience in Parliament; besides divers Members of the House of Commons, one of which, hath long served His Majesty in places of Honour, and had always been in great favour and esteem, till hee faithfully discharged his duty in Parliament. And last of all, the Earle of *Northumberland* put from the place of high Admirall, a man so eminent in all qualifications of honour and sufficiency,

so necessary for the State at this time; when so many Ships are at Sea, and the Kingdome in so much trouble and distraction, that there can hardly be named a more mischievous effect of wicked Councell or dangerous preparative to future confusion, then the bereaving the State of the service of so noble and vertuous a Person as he is. The consideration whereof inforceth both Houses to declare, That they cannot think the Kingdom in safety, nor themselves to have discharged the trust which lyes upon them, till they have done their uttermost, by all fit wayes to procure that office to be restored, whereby the Command of the Ships which are the Walls of the Kingdom, may again be settled in the charge of that noble Lord.

In the midst of these unjust and destructive courses to blinde the eyes of the multitude, and disguise their malicious and cruell intentions under the semblance of Peace and Justice, they have drawne his Majesty to make divers solemne Protestations, with fearfull imprecations upon Himself, and invocations of Gods holy Name, That Hee intended nothing but the peace and welfare of His people, the mayntenance of Religion, and the Laws of the Kingdome, and for His own security only, to raise a guard for His Person. And that Hee did from His Soul abhor the thought of making War against the Parliament, or to put the Kingdome into a combustion; but having under this colour, kept about him, divers Souldiers and Officers, and gathered some strength, the intentions do now appeare with a more open face, by these His Majesties ensuing actions, and proceedings.

Which the Lords and Commons have thought good to publish, That all the Subjects of the Kingdom may understand, what dangers and miseries are coming upon them, if not timely prevented.

A Garrison of Souldiers is by his Majesties Order put into *Newcastle* under the command of the Earle of *Newcastle*, who should have formerly seized upon *Hush* if by the wisdom of the Parliament he had not been prevented.

The Papists in *Chester* have lately, in a very peremptory manner, and in His Majesties Name, demanded their Armes, taken from them by direction of both Houses of Parliament, to be againe restored to them. The Earle *Rivers*, lately a notorious profest Papist, and still suspected to be a Papist, although hee now comes to Church, as many other dangerous Papists do, on purpose, as is conceived, to make themselves capable of employment, is as conceived, to make themselves capable of employment, put into the Commission of Array, being against Law, and the Liberty of the Subject, which he hath executed with rigour, and hath committed divers persons to prison, for refusing to submit thereunto, contrary to the Law, and the Petition of Right.

The mouth of the River of *Tyne* is fortified, whereby the whole Trade of

Newcastle for Coal or otherwise, will be subject to be interrupted whensoever His Majesty shall please, and the City of *London*, and many other parts of the Kingdom exceedingly burthened and distressed.

A Ship laden with Cannon for battery, and other lesser Ordnance, Powder, and Ammunition is come into the River of *Humber*, which also hath brought divers Commanders from forreign parts; and in this Ship, as wee are credibly informed, were Master *Henry Wilmot*, Sir *John Barkley*, and Sir *Hugh Pollard*, three of those who stand charged in Parliament, for being privy to the designe of bringing up the Army; and amongst others the Lord *Digby*, a person accused in Parliament of high Treason, who when he began to be questioned, fled out of the Kingdom, and advised His Majesty by Letters to that course which he hath since pursued, of withdrawing himself from his Parliament to a place of Strength, and that then he intended to come to him, and in the mean time would do him service abroad.

Divers other large preparations of Warlike provisions are made beyond the Sea, and shortly expected, besides great numbers of Gentlemen, Horses, and Arms drawn from all parts of the Kingdom, and all the Gentlemen in *Torke-shire* required to bring in their Horses for His Majesties Service.

Sundry Commissions are granted for raising Horse, and divers Officers of the Army are already appointed.

Upon Munday morning being the fourth of *July*, His Majesty came to *Beverley* with an Army of a considerable number of Horse and Foot, some Regiments of the Trained Bands, being likewise commanded to be raised.

Among the Souldiers in this Army, there are divers Papists and other persons of desperate fortune and condition, ready to execute any violence, rapine, and oppression.

Some Troops of Horse are sent into *Lincolnshire*, to the great terrour of the wel-affected people, who are thereby forced either to forsake their dwellings, or to keep them with armed men.

They begin already to take away mens Horses by force, and to commit other Acts of Hostility, and have uncivilly used a Gentleman sent from the Parliament with a Letter to His Majesty.

Provisions are restrained from coming to *Hull*, and his Majesty is shortly expected to come thither with his Army, notwithstanding the place is in the custody of the Parliament, as hath been often declared to his Majesty by both Houses, and kept by them for his Majesties service, and the peace of the Kingdom; whereof, as soone as they may be secured, they intend to take the Town in the state it was.

The War being thus by his Majesty begun, the Lords and Commons in Parliament hold themselves bound in conscience to raise forces for the preservation

of the peace of the Kingdome and protection of the Subjects in their persons and estates, according to Law, The defence and security of Parliament, & of all those who have been employed by them in any publike service for these ends, and thorow Gods blessing to disappoint the designs and expectations of those who have drawne his Majesty to these courses and counsels, in favour of the Papists at home, the Rebels in *Ireland*, the forreigne enemies of our Religion and peace.

In the opposing of all which, they desire the concurrence of the wel-disposed Subjects of this Kingdom, and shall manifest by their courses and endeavours, that they are carried by no respects but of the publike good which they will always prefer before their own lives and fortunes; And shall ever be most earnest in their counsels and endeavours to prevent a Civill War, and those miserable effects it must needs produce, if they may be avoided without endangering the alteration of Religion, which is the mayn end of those who have been the Authours and Councillors of his Majesties undertaking this War, and will necessarily draw with it a losse of Liberty, and subversion of the Law of the Kingdom; so that it rests onely that the free-born English Nation do consider whether they will adhere to the King and his Parliament, by which they have so long enjoyed all that is deare unto them; or to the King seduced by Jesuiticall Counsell and Cavaliers, who have designed all to slavery and confusion, which by Gods blessing, and our joynt endeavours may be timely prevented.

O *Ordered by the Lords and Commons in Parliament, that this Declaration be forthwith printed and published.*

H. Elfyng Cler. Parl. Dom. Com.

F I N I S.

To the Kings most Excellent Majesty.
**The humble Petition of the Lords and Commons
 assembled in Parliament.**

May it please your Majesty,

Although we your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament assembled, have been very unhappy in many former Petitions and Supplications to Your Majesty, Wherein we have represented our most dutifull Affections, in advising and desiring those things which

which we held most necessary for the preservation of Gods true Religion, your Majesties safety and honour, and the peace of the Kingdome; And with much sorrow do perceive, That your Majesty, incensed by many false Calumnies and Slanders, doth continue to raise Forces against us, and your other peaceable and loyall Subjects, and to make great preparations for War, both in the Kingdom, and from beyond the Seas; And by armes and violence to over-rule the judgment and advice of your great Councell, and by force to determine the Questions there depending, concerning the Government and Liberty of the Kingdom; Yet such is our earnest desire of discharging our duty to your Majesty and the Kingdom, to preserve the peace thereof, and to prevent the Miseries of Civill War amongst your Subjects, That notwithstanding wee hold our selves bound to use all the means and power, which by the Laws and Constitutions of this Kingdom we are trusted with, for Defence and Protection thereof, and of the Subjects from force and violence; Wee doe in this our humble and loyall Petition prostrate our selves at your Majesties feet, beseeching your Royall Majesty, That you will be pleased to forbear and remove all Preparations and Actions of War, particularly the Forces from about *Hull*, from *Newcastle*, *Tynmouth*, *Lincoln*, and *Lincolnshire*, and all other places; And that your Majesty will recall the Commissions of Array, which are illegal; Dismiss Troops, and extraordinary Guards, by you raised; That your Majesty will come neerer to your Parliament, and harken to their faithfull Advice, and humble Petitions, which shall onely tend to the defence and advancement of Religion, your own Royall Honour and Safety, the Preservation of Our Laws and Liberties; And we have been, and shall ever be carefull to prevent and punish all Tumults and seditious Actions, Speeches, and Writings, Which may give your Majesty just cause of distast or apprehension of danger, from which publike Aymes and Resolutions, no sinister or private respect shal ever make us to decline; That your Majesty will leave Delinquents to the due course of Justice; And that nothing done or spoken in Parliament or by any person in pursuance of the Command and Direction of both Houses of Parliament be questioned any where but in Parliament.

And wee, for our parts, shall be ready to lay down all those preparations which we have been forced to make for our defence. And for the Towne of *Hull*, and the Ordinance concerning the *Militia*, as we have in both these particulars, onely sought the preservation of the peace of the Kingdom, and the defence of the Parliament from force and violence; So wee shall most willingly leave the Town of *Hull* in the state it was before. Sir *John Hotham* drew any Forces into it, delivering your Ma. Magazin into the Tower of *London*; And supplying whatsoever hath been disposed by us for the service of the Kingdom; We shall be ready to settle the *Militia* by a Bill, in such a way, as shall be

Honourable and safe for Your Maiestie, most agreeable to the duty of Parliament, and effectually for the good of the Kingdome, That the strength thereof be not imployed against it selfe; And that which ought to be for our security, applied to our destruction: And that the Parliament, and those who profess and desire still to preserve the Protestant Religion, both in this Realme, and in *Ireland*, may not be left naked, and indefensible, to the mischievous designs, and cruell attempts of those who are the profess, and confederated Enemies thereof in your Maiesties Dominions, and other Neighbour-Nations: To which if Your Maiesties Courtes and Counsels shall from hence-forth concur, we doubt not but we shall quickly make it appeare to the World, by the most eminent effects of Love and Duty, That Your Maiesties personall safety, Your Royall Honour and Greatnesse are much dearer to us then our own Lives and Fortunes; Which we do most heartily Dedicate, and shall most willingly imploy for the support and maintenance thereof.

His Majesties Answer To the Petition of the Lords and Commons assembled in parliament.

THough His Majestie had no great reason to beleewe, that the Directions sent to the Earle of *Warwick*, to go to the river of *Humber*, with as many Ships as he should think fit, for all possible assistance to Sir *John Hotham* (whilest His Majestie expected the giving up of the Town unto Him) and to carry away such Arms from thence as His discretion thought fit to spare out of His Majesties own Magazine; The chusing a Generall by both Houses of Parliament, for the defence of those who have obeyed their Orders and Commands (be they never so extravagant and illegall) Their Declaration, *That in that Case, they would live and die with the Earle of Essex their Generall* (all which were Voted the same day with this Petition) And the committing the Lord Major of *London* to Prison for executing His Majesties Writs and lawfull Commands, were but ill Prologues to a Petition which might compose the miserable Distractions of the Kingdom: Yet His Majesties passionate desire of the Peace of the Kingdom, together with the Preface of the presenters, That they had brought a petition full of Duty and Submission to His Majestie, and which desired nothing of Him but His consent to peace (which His Majestie conceived to be the Language of both Houses too) begot a great hope and expectation in Him, that this petition would have been such an introduction to peace, that it would at least have satisfied His Message of the twentieth of this Moneth, by delivering up *Hull* unto his Majestie: But to His unspeakable Grief, His Majestie hath too much Cause to beleeye, that the ends

some persons by this Petition is not in truth to give any reall satisfaction to His Majestie, but by the specious pretences of making offers to Him, to mislead and seduce His people, and lay some imputation upon Him of denying what is fit to be granted, otherwise it would not have thrown those unjust reproaches and scandalls upon His Majestie, for making necessary and just Defence for His own Safetie, and so peremptorily justified such actions against Him, as by no Rule of Law or Justice can admit the least colour of Defence, and after so many free and unlimited Acts of Grace passed by His Majestie, without any Condition, have proposed such things which in Justice cannot be denied unto Him, upon such conditions as in Honour He cannot grant. How ever, that all the world may see how willing His Majestie would be to embrace any overture that might beget a right understanding between Him and His two Houses of Parliament (with whom He is sure He shall have no Contention, when the private Practices and subtile Insinuations of some few Malignant Persons shall be discovered (which His Majestie wil take care shall be speedily done) He hath with great Care weighed the particulars of this Petition, and returns this Answer;

THat the petitioners were never unhappy in their Petitions or Supplications to His Majestie, while they desired any thing which was necessary or convenient for *The preservation of Gods true Religion; His Majesties safetie and Honour; and, the Peace of the Kingdom;* And therefore when those generall envious Foundations are laid, His Majestie could wish some particular instances had been applied. Let Envie and Malice object one particular Proposition for the Preservation of Gods true Religion, which His Majestie hath refused to consent to. What Himself hath often made for the ease of tender Consciences, and for the advancement of *The Protestant Religion*, is notorious by many of His Messages and Declarations; What regard hath been to *His Honour and safetie*, when He hath been driven from some of His Houses, and kept from other of his Towns by Force; And what care there hath been of *The Peace of the Kingdom*, when endeavour hath been used to put all his Subjects in Arms against him, is so evident, That his Majestie is confident He cannot suffer by those generall Imputations: It is enough that the world knows what he hath granted, and what he hath denied.

For his Majesties raising Forces, and making preparations for War (whatsoever the Petitioners by the Evil Arts of the Enemies to his Majesties Person and Government, and by the Calumnies and Slanders raised against His Majestie by them, are induced to beleieve) all men may know what is done that way, is but in order to his own Defence. Let the Petitioners remember that (which all the world knows) his Majestie was driven from his Palace of

Whitehall for safety of his life ; That both Houses of Parliament upon their own Authority raised a Guard to themselves (having gotten the command of all the Train-Bands of *London* to that purpose) without the least colour or shadow of danger ; That they usurped a power by their pretended Ordinance (against all Principles and Elements of Law) over the whole *Militia* of the Kingdom, without, and against his Majesties consent ; That they took possession of his Town, Fort, and Magazine of *Hull*, and committed the same to Sir *John Hotham*, who shut the Gates against His Majestie, and by force of Arms denied entrance thither to his own person ; That they justified this Act, which they had not directed, and took Sir *John Hotham* into their protection for whatsoever he had done or should do against his Majestie ; And all this, whilst his Majestie had no other attendance then his own meniall Servants. Upon this the Duty and Affection of this County prompted His Subjects here to provide a small Guard for his own person ; which was no sooner done, but a Vote suddenly passed of his Majesties intention to leave War against his parliament (which God knows, his heart abhorreth) and notwithstanding all his Majesties professions, Declarations and protestations to the contrary, seconded by the cleer Testimony of so great a number of peers upon the place, propositions and Orders for leavies of Men, Horse and Arms were sent thorowout the Kingdom, plate and Money brought in and received, horse and Men raised towards an Armie, mustered and under Command, and all this contrary to the Law and to his Majesties proclamation ; And a Declaration published; That if he should use Force for the recovery of *Hull*, or suppressing the pretended Ordinance for the *Militia*, it should be held leavying War against the Parliament, and all this done before his Majestie granted any Commission for the levying or raising a man ; His Majesties Ships were taken from Him, and committed to the Custody of the Earle of *Warwicke*, who presumes under that power to usurp to himselfe the Sovereignty of the Sea, to chase, fright, and imprison such of his Majesties good Subjects as desire to obey his lawfull Commands, although he had notice of the legall Revocation of the Earle of *Northumberlands* Commission of Admirall, whereby all power derived from that Commission ceased. Let all the world now judge who began this War, and upon whose Account the Miseries which may follow must be cast, what his Majesty could have done lesse then he hath done, and whether he were not compelled to make Provision both for the defence of himselfe, and recovery of what is so violently and injuriously taken from him; And whether these injuries & Indignities are not just grounds for his Majesties feares and apprehensions of farther mischief and danger to him. Whence the feares and Jealousies of the Petitioners have proceeded, hath never been discovered ; The dangers they have brought upon His Subjects are too evident ; What those are they have preven-

red, no man knows ; And therefore his Majestie cannot but looke upon that Charge, as the boldest, and the most scandalous hath been yet laid upon him, *That this necessary Provision made for His own Safety and Defence, is to over-rule the Indgement and Advice of His great Councell, and by Force to determine the Questions there depending concerning the Government and Liberty of the Kingdom.* If no other Force had been raised to determine those Questions then by his Majesty, this unhappy mis-understanding had not been. And his Majesty no longer desires the Blessing and Protection of Almighty God upon Himselfe and his Posterity, then he and They shall solemnly observe the due Execution of the Laws in the Defence of Parliaments, and the just Freedome thereof.

For the Forces about *Hull*, his Majesty will remove them when he hath attained the end for which they were brought thither. When *Hull* shall be reduced againe to his subiection, he will no longer have an Army before it ; And when he shall be assured that the same necessity and pretence of publicke good, which took *Hull* from him, may not put a Garrison into *Newcastle*, to keep the same against him, he will remove his from thence, and from *Tinmouth* ; Till when, the Example of *Hull* will not out of his memorie.

For the Commissions of Array, which are Legall, and are so proved by a Declaration now in the Presse, his Majesty wonders why they should at this time be thought grievous, and fit to be recalled, if the feares of Invasion and Rebellion be so great, that by an illegall pretended Ordinance it is necessary to put his subiects into a Posture of Defence, to Array, Train and Muster them, he knowes not why the same should not be done in a regular, knowne, lawfull way : But if in the execution of that Commission, any thing shall be unlawfully imposed upon his good subiects, his Majesty will take all iust and necessary care for their redresse.

For his Majesties comming neerer to his Parliament, his Majesty hath expressed himselfe so fully in his severall Messages Answers and Declarations, and so particularly avowed a reall feare of his Safety, upon such instances as cannot be answered, that he hath reason to take himselfe somewhat neglected, That since upon so manifest Reasons it is not safe for his Majesty to come to them, both his houses of Parliament will not come neerer to his Majesty, or to such a place where the Freedome and Dignity of Parliament might be preserved. However his Majesty shall be very glad to hear of some such Example in their punishing the Tumults (which he knows not how to expect,) when they have declared, That they knew not of any Tumults, though the house of Peers desired, both for the Dignity and Freedome of Parliament, That the house of Commons would ioyne with them in a Declaration against Tumults, which they refused (that is neglected to doe) and other seditious Actions, Speeches, and

Writings, as may take that apprehension of danger from him, though when he remembers the particular complaints himselfe hath made of businesses of that nature, and that in stead of inquiring out the Authors, neglect of Examination hath been, when offer hath been made to both Houses to produce the Authors (as in that Treasonable Paper concerning the *Militia*) and when He sees every day Pamphlets published against his Crown, and against Monarchy it selfe, as the Observations upon his late Messages, Declarations, and Expresses, and some Declarations of their owne, which give too great encouragement in that Argument to ill affected Persons; His Maiestie cannot with confidence entertain those hopes which would be most welcome to him.

For the leaving Delinquents to the due course of Justice; His Majestie is most assured He hath been no shelter to any such: If the tediousnesse and delay in prosecution, the vast charge in Officers Fees, the keeping men under a generall Accusation without triall a whole yeere and more, and so allowing them no way for their Defence and Vindication, have frightened men away from so chargeable and uncertain an attendance; The Remedy is best provided where the Disease grew. If the Law be the measure of Delinquencie, none such are within His Majesties protection: But if by Delinquents, such are understood who are made so by Vote, without any respasse upon any known or established Law; If by Delinquents those nine Lords are understood, who are made Delinquents for obeying His Majesties Summons to come to Him, after their stay there was neither safe nor honourable, by reason of the Tumults and other Violences, and whose impeachment, He is confident, is the greatest breach of Priviledge that before this Parliament was ever offered to the House of Peers; If by Delinquents, such are understood who refuse to submit to the pretended Ordinance of the *Militia*, to that of the Navie, or to any other which His Majestie hath not consented to, such who for the peace of the Kingdome, in an humble manner, prepare petitions to Him, or to both Houses, as His good Subjects of *London* and *Kent* did, whilest seditious ones, as that of *Essex*, and other places, are allowed and cherished; If by Delinquents such are understood, who are called so for publishing His Proclamations. (as the Lord Major of *London*) or for reading His Messages and Declarations (as divers Ministers about *London* and elsewhere). when those against Him are dispersed with all care and industry, to poyson and corrupt the Loyalty and Affection of His people; If by Delinquents, such are understood, who have or shall lend His Majestie Money, in the Universities, or in any other places; his Majestie declares to all the world, That He will protect such with His utmost power and strength, And directs, that in these cases they submit not to any Messengers or Warrants; It being no lesse His duty to protect those who are innocent, then to bring the guilty to Condigne punishment, of both which the

Law is to be Judge. And if both Houses doe thinke fit to make a Generall; and to raise an Army for defence of those who obey their Orders and Commands; His Majestie must not sit still, and suffer such who submit to his just Power, and are solicitous for the Laws of the Land, to perish, and be undone, because they are called Delinquents: And when they shall take upon them to dispence with the Attendance of those who are called by his Majesties Writ, whilst they send them to Sea to rob his Majesty of his Ships, or into the severall Counties, to put His Subjects in Arms against Him, his Majestie (who onely hath it) will not lose the Power to dispence with them to attend his own person, or to execute such Offices as are necessary for the preservation of Himselfe and the Kingdome, but must protect them, though they are called Delinquents.

For the manner of the proceeding against Delinquents, his Majestie will proceed against those who have no priviledge of Parliament, or in such cases where no priviledge is to be allowed, as he shall bee advised by his learned Councill, and according to the knowne and unquestionable Rules of the Law, it being unreasonable that He should be compelled to proceed against those who have violated the known and undoubted Law, onely before them who have directed such violation.

Having said thus much to the particulars of the Petition, Though His Majestie hath reason to complaine, That since the sending this Petition, they have beaten their Drums for Souldiers against Him, Armed their own Generall with a Power destructive to the Law and Liberty of the Subjects, and chosen a Generall of their horse; His Majestie out of his Princely love, tenderneesse, and compassion of His People, and desire to preserve the Peace of the Kingdome, That the whole Force and Strength of it may be united for the defence of it selfe, and the reliefe of *Ireland* (in whose behalfe He conjures both his houses of Parliament, as they will answer the contrary to Almighty God, his Majestie, to those that trust them, and to that bleeding miserable Kingdome, That they suffer not any Moneys granted and collected by Act of Parliament, to be diverted or employed against his Majestie, whilst His Souldiers in that Kingdome are ready to mutine, or perish for want of Pay, and the barbarous Rebels prevaile by that incouragement) Is graciously pleased once more to propose and require;

That His Town of *Hull* be immediately delivered up to Him, which being done (though his Majestie hath been provoked) by unheard of Insolencies of *Sir John Hotham*, since his burning and drowning the Countrey, in seizing his Wine, and other Provisions for His house; and scornfully using His Servant, whom he sent to require them, saying, *It came to him by Providence, and he will keep it*; and so refusing to deliver it, with threats, if he or any other of his fel-

low Servants should again repaire to *Hull* about it; And in taking and detaining Prisoners divers Gentlemen, and others in their passage over the *Humber* into Lincolnshire, about their necessary occasions, and such other indignities, as all gentlemen must resent in his Maiesties behalfe, his Maiestie, to shew his earnest desire of Peace (for which he will dispense with His own honour) and how farre he is from desire of Revenge, will grant a free and Generall Pardon to all Persons within that Town.

That his Maiesties Magazine taken from *Hull*, be forthwith put into such hands as he shall appoint.

That His Navie be forthwith delivered into such hands as he hath directed for the Government thereof; The detaining thereof after his Maiesties directions published and received to the contrary, and imploying his Ships against him in such manner, as they are now used, being notorious high Treason in the Commanders of those Ships.

That all Armes, Leavies, and Provisions for a War, made by the Consent of both houses (by whose Example his Maiestie hath been forced to make some preparations) be immediately laid down; And the pretended Ordinance for the *Militia*, and all Power of imposing Laws upon the Subject, without his Maiesties Consent be disavowed, without which the same Pretence will remaine to produce the same Mischiefs; All which his Maiestie may as lawfully demand, as to live, and can with no more Justice be denied him: then his Life may be taken from him.

These being done, and the Parliament adiourned to a safe and secure Place, his Maiestie promises in the presence of God and bindes himselfe by all his Confidence and Assurance in the Affection of his people, that he will instantly and most cheerfully lay down all the Force he shall have raised, and discharge all his future and intended Leavies, That there may be a generall face of peace over the whole Kingdom. And will repair to them, and desires that all Differences may be freely debated in a parliamentary way, whereby the Law may recover its due Reverence, the Subject his iust Libertie, and parliaments themselves their full Vigour and Estimation; And so the whole Kingdom, a blessed peace, Quiet, and prosperity.

If these propositions shall be reiected, his Maiestie doubts not of the protection and Assistance of Almighty God, and the ready concurrence of his good Subjects, who can have no hope left them of enioying their own long, if their King may be oppressed and spoiled, and must be remediless. And though his Towns, his Ships, his Armes, and his Money be gotten and taken from him, he hath a good Cause left, and the hearts of his people, which, with Gods blessing he doubts not, will recover all the rest. Lastly, if the preservation of the protestant Religion, the defence of the Liberty and Law of the Kingdom, the Dignity

nity and freedom of parliament and the Recovery, and the Relief of bleeding and miserable *Ireland*, be equally precious to the petitioners, as they are to his Majesty (who will have no quarrell but in defence of these) there will be a cheerful and speedy Consent to what His Majestie hath now proposed and desired.

And of this His Maieftie expects a full and positive answer by Wednesday the seven and twentieth of this instant *July*: Till when he will not make any Attempt of Force upon *Hull*, hoping in the Affection, Duty and Loyalty of the petitioners: and in the mean time expects that no supply of Men be put into *Hull*, or any of his Maiefties Goods taken from thence.

F I N I S.

Charles R.

Our expresse Pleasure is, That this Petition of the Lords and Commons, with Our Answer thereto, be read in all Churches and Chappels within the Kingdome of England and Dominion of Wales, by the Parsons, Vicars or Curats of the same.

A Replication of the Lords and Commons assembled in Parliament, to his Majesties last Answer sent by the Right Honourable the Earle of Holland.

THe Lords and Commons in Parliament, having taken into their consideration his Majesties Answer to their humble petition for Peace, delivered by the Earle of *Holland*, Sir *Philip Stapleton*, and Sir *John Holland*, and the Demands which hee is thereupon pleased to make concerning the speedy and present delivery of the Towne of *Hull*, the Magazine, the Navy, disavowing the Ordinance of the Militia, the laying downe of all Armes raised by authority of the two Houses of Parliament, and adjourning themselves to some other place, doe beseech his Majesty to accept this their most humble, and iust excuse, that they cannot for the present with the discharge of the trust reposed in them, for the safety of the King and Kingdome, yeeld to those demands of his Majesty; the reason why they tooke into their custody the Towne of *Hull*, the Magazine and Navy, passed the Ordinance of the Militia, and made preparation of Armes, was for the security of Religion, the safety of his Majesties Person, of the Kingdome, and Parliament, all which they did see in evident, and eminent danger, from which when they shall be secured, and that the Forces of the Kingdome shall not be used to the destruction thereof, they shall then bee ready to withdraw the Garrison out of *Hull*, to deliver the Magazine, and Navy, and settle the Militia by Bill, in such a way as shall be honourable, and safe for his Majesty, most agreeable to the duty of Parliament, and effectually

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for the good of the Kingdome, as they have profest in their late Petition, and for adjourning the Parliament, they apprehend no reason for His Majestie to require it, nor security for themselves to consent to it. And as for that reason which his Maiesty is pleased to expresse, they doubt not but the usuall place will be as safe for his Royall Person as any other, considering the full assurance they have of the loyalty, and fidelity of the City of London to his Maiesty, and the care which his Parliament will ever have to prevent any danger, which his Maiesty may iustly apprehend; besides the manifold conveniences to be had there, beyond other parts of the Kingdom. And as for the laying down of Armes, when the causes which moved them to provide for the defence of His Maiesty, the Kingdom, and Parliament shall be taken away, they shall very willingly, and chearefully forbear any further preparations, and lay downe their Force, already Rayfed.

Die Jovis 28. July, 1642.

O *Ordered by the Lords in Parliament; That the Petition of the Lords and Commons in Parliament delivered to his Majesties the 16 day of July, together with his Majesties Answer thereunto, and a Replication of the said Lords and Commons, to the said Answer, dated the 26. of July, 1642. shall be read in all Churches, and Chappels within the Kingdome of England and Dominion of Wales, by the Parsons, Vicars, or Curates of the same.*

John Browne Cler. Parliamentorum.

FINIS.

Carolus Rex,

To our trusty and well-beloved, the Vice-Chancellour of the Vniversity of Oxford, and to all the rest of our loyall Subjects in that our Vniversity.

Reverend Father in God, we greet you well,

VV *Hereas we have received a most large and ample testimony of the Affection of that our Loyall vniuersity to us, by the free loane of a very considerable Summe of mony, in a time of so great and Imminent necessity. These are to will and require you, to give to that our Vniuersity from us, our Royall thanks, and to assure them and every of them, (our Loving and Loyall Subiects) that this Testimony of their hearts towards us, shall never depart out of our Royall memory, and that both they shall be carefully repayd, and the mony employed only upon the defence of our selfe, The*
true

true protestant Religion and the Laws established in this our Kingdom, and whereas wee heare. that for this Action, so full of loyalty and Allegiance, some of that our Vniversity have beene ordered to be sent for, these are to will and require you, to signifie unto them and every of them, (who assume such power to themselves without us) That wee will and command, that no obedience be given to any such summons, holding our selfe bound to protect and defend those, who shall be persecuted for that cause, by having contributed to our defence and protection, And so wee bid you farewell.

Given at Our Court at Beverly the 18. day of July 1643.

Charles R.

To our trusty and well beloved the High Sheriff of our County, and the Major of our Citie of Oxford.

TRusty and welbeloved, Wee greet you well; whereas Wee have lately received very ample testimonies of the good affections of our Vniversity of Oxon, by the loan of such Moneys as could be thence spared for the supply of Our urgent and extraordinary occasions, For which dutifull and affectionate expression, We are informed; that severall worthy persons of that our Vniversity, our servants and others are threatned to be troubled and molested, Wee have thought fit to commend the care, assistance and protection of that place and of the persons in it, to you as a service; wherein you shall merit our favour and good acceptance, and of which we shall require an account. And we doe therefore will and require you, as you tender our displeasure, if any warrant, order, or other direction whatsoever shall come to your hand for the apprehending or troubling any person or persons of that our Vniversity for his good affection to our service in advancing the businesse of lending and supplying us with money which we shall never forget, that you be so farre from countenancing or assisting any such warrant or direction, that on the contrary you use your utmost power to preserve those our good Subjects from such oppression, the which we shall take in very good part at your hand, and for so doing this shall be your warrant.

Given at Our Court at Nottingham, 7th July, 22. 1643.

FINIS.

Ppp

Dis

Die Martis, 19 Iulii, 1642.

An Order of both houses of Parliament, for Encouragement of Voluntiers Within the Kingdom of England and

Dominion of *Wales*, to use and exercise in a disciplinable manner under such Commanders, and in such Places as shall be appointed by the Lord Lieutenants, and others according to the Ordinance of Parliament. For which Service they shall have the Authority of both Houses of Parliament for their Indempnity for so doing.

VV Hereas well-affected Persons within the Kingdoms of England and Dominion of *Wales*, may be desirous as Voluntiers, to Exercise themselves in the use of their Arms, by peaceable Training, and marching under the Lord Lieutenants, and others appointed by the Ordinance of Parliament; It is thought fit, and so Ordered by the Lords and Commons in Parliament assembled, That all such person or persons whatsoever in the severall Counties, Cities, Townes Corporate; and other places within the Kingdome of England and Dominion of *Wales*, as shall desire, and willingly submit themselves to bee Trained, and Exercised in the use of their Arms under the Lord Lieutenants, and others of the severall Counties, and Cities of England and *Wales*, authorised by Ordinance of Parliament, or under such Captaines appointed by them may from time to time hereafter in a peaceable and orderly way assemble themselves in companies to Train, and learne to Exercise themselves in the use of their Arms, and order of marching at such convenient times and in such places as shall be thought fit by their Commanders, or Captaines appointed by the Lord Lieutenants for that purpose, untill other order shall be herein taken by both Houses of Parliament; And that they shal be saved harmlesse for so doing, by the Authority of both the said Houses; And that all Majors, Justices of Peace, Sheriffs, Bailiffs, Constables, and other his Majesties Officers, that shall encourage and assist the said persons in the peaceable and quiet Training, and Exercising themselves as aforesaid, shall bee held by both houses of Parliament to have done a very acceptable service thereon; And that they, and every of them shall have the Authority of both Houses of Parliament for their indempnity for so doing.

Ordered that this be forthwith Printed.

H. Eljyng Cler. Parl. Dom. Com.

His Majesties Speech at *Leicester*, to the Gentlemen,
Free-holders, and Inhabitants of that
County. July 20.

GENTLEMEN.

SINCE I have found my presence so very acceptable amongst my good Subjects in these Northern parts, and that the Errors and mistakes amongst them, have wholly proceeded from mis-information, and are removed with more satisfaction, and ease to them then they were received; I hold it a piece of my duty, to take the utmost pains I can, fully to inform and undeceive my People; and rather to prevent Crimes, then to punish them: In this Errand I am come to you, amongst whom there hath not bene the least misunderstanding, to shew you, That I doe not suspect any malice in the Place, or in the People, though persons of as ill dispositions have been busie in it, and amongst you, as in any County in *England*, and such who have taken as great pains to do mischief, and to bring Confusion as good men should for peace and happiness: Though tis as true, that very many worthier persons amongst you have appeared of contrary affections, which I shall always acknowledge: I am come to you in a time too, when nothing could invite me to such a Journey, but my Affection to, and good esteeme of you; having sent such Propositions for Peace and Accommodation to my two Houses of Parliament, that I hope to have no other use of your affections, but in your Prayers; being sure they will submit to them with alacrity, if the unexcusable Enemies to the Peace of the Kingdome be not strong enough to prevaile: And then you will finde yourselves so much concerned (for I have required nothing that with more Justice can be denied me (if it be duly weighed) then my Crowne, or my Life may be taken from me) that I shall not need to aske your assistance: I know you will bring Horse, Men, Money, and Hearts worthy such a Cause. Your Religion, your Liberties, your Laws (which I will defend with my life, I meane the good knowne Lawes of the Land, not Ordinances without my consent, which till within these twelve Moneths was never heard of from the Foundation of this Kingdom) will be the Quarrell: And in such a Cause, the taking away my Townes, Ships, Armes, and Money from me, shall not dishearten me: The Concurrence and Affection of my People with Gods blessing will supply and recover all.

Die Mercurii, 20 Iulii, 1642.

An Order of the Lords and Commons assembled in Parliament, That the Iudges and Iustices of Assize, in the severall Counties of *England* and *Wales*, in open Court, and in their severall Charges to be delivered to the grand Iuries at the Next Assizes, shall declare and publish, That the said Lords and Commons have resolved upon the Question, That His Majesties Commissions of Array are against Law, and against the Liberty and Property of the Subject.

V Hereas severall Commissions of Array have lately issued out under the Great Scale of *England*, into the Seuerall Counties of *Leicester*, *Worcester*, and other Counties of this Realme, tending to the great danger of His Majesty, and the disturbance of the Peace of this Kingdome: For the preventing thereof, and of the Execution, and issuing out of any such Commissions for the time to come, It is Ordred by the Lords and Commons assembled in Parliament, That the Judges and Justices of Assize, of the severall Counties of *England* and *Wales*, be required in their severall Circuits, at the Assizes and great Sessions to be next held for each County, within this Realme, and the Dominion of *Wales* respectively, in open Court, and in their severall Charges to be delivered to the Grand-Juries at the said Assizes, and great Sessions, openly to declare and publish, That the said Lords and Commons assembled in Parliament have, upon mature deliberation, Resolved upon the Question. That the said Commissions of Array are against Law, and against the Liberty and Property of the Subject: And that all those that are Actors in putting the same in Execution, shall be esteemed disturbers of the Peace of the Kingdome, and Traytors of the Liberty of the Subject.

Die Mercurii, 20 Iulii, 1642.

Ordered by the Lords and Commons assembled in Parliament, That this Order shall be forthwith Printed and Published.

Io. Browne Cleric. Parliamentorum.

A Declaration of the house of Commons in vindication of
 divers Members of their House, from a false & scandalous
 Pamphlet, intituled, The humble Petition of
 Captain *William Booth* of *Killingholm*,
 in the County of *Lincoln*.

THe House of Commons having been informed by Sir *Christopher Wray* Knight, one of the Members of that House That a Printed Paper hath been published, intituled, *The Petition of Captaine William Booth, &c.* Wherein divers Members of that House have been much scandalized, and himselfe in more particular. by severall Imputations; which the said Sir *Christopher Wray*, did aver, to be malicious, false, and untrue: Therefore the House taking in'o consideration, that the scope of that Petition concerned persons intrusted in the Execution of the Commands of the House, did refer the said Petition to a Committee to examine the truth thereof, who have made the Report unto the said House, That they have read the Petition in the presence of those Gentlemen of the House of Commons, formerly sent downe from both Houses of Parliament into the County of *Lincoln*, to see the *Militia* put in Execution there. And finding them generally to disavow every part of the Petition, as it is there charged against them, Conceived it necessary, and accordingly did send out a Warrant of Summons to the said Captain *Booth*, (and *William Scroop* his Brother in law, to attend the Committee to know whether they would justifie and avow the said Petition, with the extrajudiciall and illegall *Affidavit*.) But the said Captain *Booth* and *William Scroop*, having neither of them yet appeared before the Committee, to avow the said Petition, and contents thereof: The Committee thought fit to take the Information of divers Gentlemen, Members of the House of Commons, and others, and to deliver unto the House their joynt and severall Answers, according unto their own Relations.

First, As to the cause of the Petitioner Captaine *William Booth* his commitment. (as he terms it) Sir *William Armyn*, Sir *Edward Aiscongh*, Sir *Christopher Wray*, Sir *Anthony Erby*, Master *Hatcher*, Master *Broxholme*; all Members of the House of Commons, Doe testifie That. an Information was given unto the Lord *Willoughby* of *Parham*, Lievtenant of the County of *Lincoln*, and his Deputy Lieutenants, as they were taking a view of the *Militia* at *Caistor*, (being one of the Divisions in the County of *Lincoln*.) that Captain *Booth* was in a Tavern calling in divers of the Country to him, and reading to them the Kings Proclamation concerning the *Militia*, thereby endeavouring to dissuade many of the Souldiers from shewing their Arms: As also, that the day

before at a generall meeting there, the said Captain *Booth* did publickly laugh, and deride the proceedings of the Lord *Willoughby* and his Deputy Lieutenants at *Lincoln*, saying in a scoffing manner, There was a brave appearance at *Lincoln* of some 15 or 16 men; whereas the truth is, there appeared about 80, the whole Trained Bands consisting but of one hundred persons. Yet this was not the sole cause of his restraint; for at the same time, this further information was also brought against him by a Gentleman of good credit, *viz.* That Captain *Booth* had said that things would never goe well as long as King *Pym* governed, and that he longed to see the King and Parliament parted, for then the King should see who were his Friends, (or words to this effect :) Whereupon a Messenger of the Lords House then attending, hee was required to take care that the said Captain *Booth* should be forth comming to answer those severall Charges the next day, for that many of the Countrey being then assembled to shew their Arms, the Lord *Willoughby* had not time to examine him, nor those Deputy Lieutenants of his who were Committees of Parliament, and sent down with Instructions to send such persons in safe custody to the Parliament, as they should find speaking any words tending to the derogation of the proceedings thereof. Yet his restraint was so favourable, that his Father in Laws promise with his own, was all the security taken for his appearance, and himself soon after dismissed upon his submission, and confession of the Author, who first raised part of those Reports with which he was charged.

Secondly, Sir *Christopher Wray* doth positively deny that ever he spake those words charged upon him by the said *William Booth* in contempt of Majesties Proclamation concerning the *Militia*, or any other words tending in the least measure to that sence: And Sir *William Armyne*, Sir *Edward Ayscough*, Sir *Anthony Erby*, Master *Hatcher*, and Master *Broxholme*, having some, or all of them been continually in company with the said Sir *Christopher Wray*, during the time of his being in *Caistor*, Do affirme, That the said Sir *Christopher Wray* in their hearing never spake any such words concerning the Kings Proclamation, as in the Petition is Charged against him, nor any other words tending to that sence: and are confident those words never proceeded from him.

Thirdly, Sir *Christopher Wray* doth likewise deny, that hee never spake those other words objected against him, *viz.* *That they came not thither to dispute the Law, nor to be taught the Law, nor did value the Law, but must observe the Orders of the House.* But doth confesse that comming into a Room at *Lowenb*, where the said Lord *Willoughby* and other Gentlemen were sitting down to supper, he found Sir *William Armyne* and one *William Scroop* arguing about the bayling of Captaine *Booth*; and Sir *William Armyne* having told him that the the Instructions of Parliament gave no Liberty of Bayle, if the said *William Booth* appeared guilty of the charge brought against him, whereupon *William*
Scroop

Scroop applyed himself to Sir *Christopher Wray*. and urg'd him to heare his brother Sir *Iarvase Scroop* argue in point of Law, that the said *William Booth* was Bailable: whereunto Sir *Christopher Wray* made this Reply *We came not hither to dispute the Law, nor to be taught the Law by your brother, nor for my part do I either value him or his opinion in Law*: And these words are testified by Sir *William Armysn*, Master *Broxholme*, and one Master *Throgmorton*, to have been spoken by Sir *Christopher Wray*, unto *William Scroop*, and no other words concerning that business. And it is further confidently affirmed by Sir *William Armysn*, Sir *Christopher Wray*, Master *Broxholme*, and Master *Throgmorton*; That at that time when the aforesaid *William Scroop* pressed Sir *Christopher Wray* to heare his brother Sir *Iarvase Scroop* argue the Law about the Bayling of Captaine *Booth*, that Captain *Booth* was not then present, and therefore could make no Affidavit of what passed betwixt Sir *Christopher Wray* and his brother in Law *William Scroop*.

Lastly, For those other Suggestions, viz. *That the said Sir Christopher Wray did call himselfe Captain of that foot company which formerly was under the command of the said Captain Booth, and thereupon used words of encouragement to the Souldiers that hee would live and die with them*. This was likewise denied by the said Sir *Christopher Wray*, for kee saith, *he then knew that the said Lord Willoughby Lievtenant of that County had before that time assigned the foot Company whereof Booth was Captain unto Sir Edward Aylcough, as knowing Booth to be a man in whom the Countrey could not confide*. But whether the said Sir *Christopher Wray* did utter any such words unto the Souldiers of his owne Company that he would Live and Die with them hee remembers not, *But conceives hee might speak those words to them*, without prejudice to any man.

Upon all which severall answers the House of Commons doe declare, That although the justice and wisdom of Parliament should rather inflict an Exemplary punishment on the contriver of such a scandalous Pamphlet, then condescend unto the answerage of it, yet in satisfaction to the humble desires of those Gentlemen, Members of this House, whose Reputation and Honour have been attempted upon by that Investive Petition of Captaine *William Booth*. The House of Commons doth hereby declare, that the said Petition of Captain *William Booth* in the particular charges thereof, is false, scandalous, and malicious, and that the said *William Booth* hath abused His Majesty with that false Petition and Affidavit.

July 21, 1642.

Ordered by the Commons in Parliament, that this Declaration be forthwith printed and published.

H. Elsyng Cler. Parl. Dom. Com.

F I N I S.

The

The Declaration of the Lords and Commons in Parliament assembled, concerning the Earle of Stamford and others his Assistants; whom the King proclaimed Traitors for executing the Ordinance of the Militia.

WHereas *Henry* Earle of *Stamford* was by Ordinance of both Houses of Parliament appointed Lord Lieutenent of the County of *Leicester*, and by the Order of both the said Houses the Magazine of the said County was delivered into his hands to be removed or disposed of as he should think fit for the safety and defence of his Majesty and the County; In obedience whereunto the said Earle did take the said Magazin, and did place a great part thereof at his house at *Bradgate* under safe guard, and the residue thereof at a place in the *Newark* neere the Towne of *Leicester*; For the doing whereof the said Earle, and also *VVilliam Sherman*, *VVilliam Stanley*, *John Norris*, and *VVilliam Reynor*, upon pretence of being Assistants to the said Earle, and all other his Adherents, were without all colour of Law, and against the Rights and Liberties of the Subject proclaimed Traitors, which as concerning the said Earle being a Member of the House of Peeres, is a high breach of the privilege of Parliament: Be it therefore declared by the said Lords and Commons, That the said Earle, *VVilliam Sherman*, *VVilliam Stanley*, *John Norris*, *VVilliam Reynor*, nor any other of the parties which were assisting of the said Earle in the Premises, have done any thing herein but according to their duties, and in obedience to the commands of both Houses of Parliament; and that therefore the said Earle and all other the said persons his assistants and every of them shall and ought to be protected by the power and authority of both Houses of Parliament. And the said Lords and Commons doe hereby forbid all Sheriffs, Majors, Bayliffs, Constables, and other His Majesties Officers and Subjects whatsoever, any way to arrest, impeach, molest, or trouble the said Earle, *William Sherman*, *William Stanley*, *John Norris*, *William Reynor*, or any other of the said persons (so assisting to the said Earle) either in their persons, goods, or estates, for, or by reason of the premises without the authority or consent of both Houses of Parliament.

Sabbathi 23. *Julii*, 1643.

Ordere*d by the Lords in Parliament, That this Declaration be forthwith Printed and published.*

Iohn Brown Cler. Parl.

Dis Martii, 26 Julii, 1642.

A Declaration of the Lords and Commons assembled in Parliament, being additions to a former Declaration, Dated July 12. 1642. For the Protecting of those who are imployed by the Authority of both or either House of Parliament, in the Execution of the Ordinance for the *Militia*: or in advancing the Propositions for raising of Horse, Moneys, or Plate, according to the Instructions of both Houses of Parliament.

THE Lords and Commons in Parliament do declare, That it is against the Laws and Liberties of the Kingdome, that any of the Subjects thereof should be commanded by the King to attend Him at His pleasure, but such as are bound thereto by speciall service; And if any Messengers or Officers shall by colour of any command from His Majesty, or Warrant under His Majesties hand, Arrest, take, or carry away any of His Majesties Subjects to any place whatsoever contrary to their wils; that it is both against the Law of the Land, the Liberty of the Subjects, and is to the disturbance of the publique peace of the Kingdome, And any of His Majesties Subjects so Arrested, may lawfully refuse to obey such Arrests and Commands.

And is is further declared, that whosoever is imployed by both or either House of Parliament, concerning the Ordinance for the *Militia*, or in advancing the Propositions, for raising of Horse, Money, or Plate, according to the instructions of both Houses, or in furthering the subscriptions for *Ireland*, or in any other service of both or either House of Parliament, shall not depart that service, or attend His Majesty upon any summons or commands, signified by Letter, Proclamation or otherwise, except such Persons shall be compelled to such departure or attendance by Authority of Law. And in so doing, both Houses of Parliament will extend the utmost of their Power for their indemnity.

Ordered that this be forthwith Printed.

H. Elsynge, Cler. Parl. D. Com.

FINIS.

Die Jovis, 28. Julii, 1642.

A Declaration of the Lords and Commons assembled in Parliament, Upon information received, that divers of His Majesties Souldies under colour of His command, and in some places countenanced by His Majesties presence, have violently attempted to seize on the Magazine in sundry places.

VHereas the Lords and Commons have received diverse informations from severall Counties, that the Souldiers raised by His Majesty, and that other ill-affected persons under the colour of his Command, and in some places countenanced by His Majesties presence, do endeavour with violence, and in a hostile manner to take away the Magazines of Powder, and Armes out of the possession of the Counties (whose proper goods they are, being purchased with their owne monies) and likewise to disarm the Trained-bands of the County, to the end that the said Counties being deprived of the meanes of their owne just defence, might be exposed to the malice, and fury of those wicked persons that should be Armed with their owne Weapons; It is declared by the Lords and Commons; That whosoever shall endeavour to preserve the Magazines of any County, or the Arms of the Train'd, or Voluntarie Bands, and to defend them by force, if the same shall be attempted to be taken away, shall doe according to Law, and their duty, as likewise all other persons shall, of what County soever, being assistant to them therein; And they doe further Order and declare, that all persons whatsoever, shall use their utmost endeavour to resist any that shall be made, for the surprise of any such Magazine, or Armes of the Train'd, or Voluntarie Bands, and that every person in so doing shall be protected, and saved harmelesse, by the Authority and power of both Houses of Parliament.

O*Ordered by the Lords in Parliament, that this Declaratiinn shall be forthwith Printed and Published.*

John Brown Cler. Parliamentor.

FINIS.

Observations upon the two ensuing LETTERS.

THe Lords and Commons have commanded these ensuing Letters and Notes to be Printed, The Copy of a Letter written by the Lord *Digby* to the Queene, the tenth of *March* last, of his owne hand-writing: An originall Letter written to the Lord *Digby*, by Mr *Thomas Elliot*, from *Torke* the 27. of *May* last, two notes of Armes, the one of which is partly His Majesties owne hand, both found among my Lord *Digbys* papers: In the Letter of the Lord *Digby* to the Queene, it may be observed, how he discovers his vengeant heart to this Kingdome, in that malicious censure, that we are a Countrey unworthy of Her; unworthy indeed to be so often designed to ruine and destruction, to be undermined and circumvented by so many plots and devilish projects of Jesuites and Priests, and other the most factious and Malignant spirits in Christendome; by which we had been often ruined and destroyed, if Gods wonderfull mercy had not preserved us: And we call his divine majesty to witnesse, that we have never done any thing against the personall safety or Honour of Her Majesty? onely we have desired to be secured from such Plots, from such mischievous Engines, that they might not have the favour of the Court, and such a powerfull influence upon His Majesties Councils as they have had, to the extreame hazard, not onely of Civill Libertie and Peace of the Kingdome, but of that we hold much dearer then these; yea, then the very being of this Nation; that is, our Religion, whereupon depends the honour of Almighty God, and salvation of our soules: Let this Lord, who was long amongst us, and knew the Grounds of our proceedings, and most secret consultations, produce any thing (if he can) of undutifulnesse, or disrespect to Her Majesty, exprest or intended by us.

Another discovery in the Letter is this, That this Lord confesseth that he writ to His Majesty with the hardinesse which he thought his affaires and complexion required; what this was may be well perceived in a Letter from himselfe to the Queene, heretofore Printed by our direction; his affaires in the judgment of this Lord required, That he should withdraw himselfe to some place of strength; such was the Councell that he gave him, and how well it hath bene followed every man may perceive; But what His Majesties complexion required, that may seeme a greater mysterie, and yet this may be collected out of that Letter, That His Majesty in the apprehension of this Lord, was too inclinable to an Accommodation with His Parliament, which in a kind of scorn in that Letter, is called, The easie or the safe way; This complexion so befitting a good Prince, required such a hardy and vehement provocation to wrath and warre against His Subjects, as this Lord presumed

to expresse in that Letter, and besides his Treachery to the Kingdome, we may herein observe a great degree of insolence and contempt towards His Majesty, that he should dare in a Letter to the Queene to tax His Majesties complexion, with so much as mildnesse towards His people, must needs be required such hardy and bold Counsell.

In Mr *Elliot's* Letter it may be first observed, That whilst His Majesty contests with His Parliament for some questionable Prerogatives, concerning the Common-wealth, His owne Servants do really deprive him of an undoubted Prerogative, of being the soveraign disposer of favours and preferments in His owne Family, which this Gentleman doth expresse in that resolution, never to have any place about His Majesty, but by the Queene, and may be further observed what these desperate Counsell about the King are most afraid of, and what they think most hurtfull to themselves, that His Majesty should be inclined to an Accommodation with His people; by this they feare to be undone, that is, to lose that prey, the estates of the Parliament-men, and other good Subjects, which they have already devoured in their owne fancies, and that they expect to be preserved from this undoing by the Queenes interposing.

By these two Notes may be observed, That at the time whilst so many Declarations were published in His Majesties Name, with solemne Protestations of His Majesties Intentions of raising onely a Guard for His owne Person, all sorts of provision for an Army were made beyond the Seas, and this poor Kingdome designed to the misery and confusion of Warre, and under the disguise of defending the Protestant profession, an Army to be raised in the Intention of these wicked Counsellors, for the suppressing and destruction of the Protestant Religion.

Mr ELLIOTS Letter to the L^d DIGBY.

My Lord,

YOU have ever beene so willing to oblige, that I cannot despaire of your favour in a businesse wherein I am much concerned, the King was pleased to imploy me to *London* to my L^d Keeper for the Seales, which though after two houres consideration he refused, yet being resolved not to be denyed, my importunity at last prevailed, which service the King hath declared was so great, that he hath promised a reward equall to it; it may be the King expects I should move him for some place, *which I shall not doe, being resolved never to have any but by the Queene, being already so infinitely obliged to her for her favours*, that I confesse I would owe my being only to her; nor shall I ever value that life I hold, but as a debt, which I shall ever pay to her commands; the favour which I desire from your Lordship, is, that you will ingage the
Queene

Queene to write to the King, that he would make me a Groom of his Bed-chamber, which since I know tis so absolutely in her power to doe, I shall never thinke of another way, for which favour neither her Majesty nor your Lordship shall ever finde a more reall servant for our affaires, they are now in so good a condition, that if we are not undone by hearkning to an Accommodation, there is nothing else can hurt us, which I feare the King is too much inclined to, but I hope what he shall receive from the Queene, will make him so resolved, that nothing but a satisfaction equall to the injuries he hath received, will make him quit the advantage he now hath, which I doe not doubt will be the meanes of bringing your Lordship quickly hither, where you shall find none more ready to obey your Commands,

Then your most faithfull and humble servant,

Torke, 27. of May

Thomas Ellyot.

The Lord DIGBIES Letter to the Queenes Majesty.

Hague, March 10. 1642.

Madam,

IT is the first Contentment that I have been capable of this long time, That Your Majesty is safely arrived in HOLLAND, *Withdrawn from a Country so unworthy of you.* I should have waited the first upon you, both to have rendred my duty according to my precedence of obligation above others, and to have enformed your Majesty the timeliest of the state of this place, whether you are coming, both in point of affections and interests, but that there shie about such reports that the Parliament hath desired your Majesty not to admit me to your presence, as I dare not presume into it without particular permission. The ground of their malevolence towards me in this particular is said to be, upon some Letters, which they have presumed to open, directed unto your Majesty from me, which I professe I cannot apprehend, for I am certaine, that I have not written to your Majesty the least word that can be wrested to an ill sence by my greatest enemies, having not so much as mentioned any businessse to your Majesty since I left ENGLAND. *To the King I confesse I wrote once with that hardinesse, which I thought his affaires and complexion required,* but that was sent by so safe hands, as I cannot apprehend the miscarrying of it. However Madam, if my misfortune be so great, as that I must be deprived of the sole comfort of my life, of waiting on Your Majesty, and following your fortunes, I beseech you, let my doome be so signified unto me, as that I may retire with the least shame that well may be, to bewaile my unhappinesse, which yet will be supportable, if I may be but assured that inwardly that generous and Princely heart preserves me the place of

(Madam)

Your Majesties most faithfull and most affectionate humble servants.

Die Martis 3. Augusti, 1642.

IT is this day Ordered by the Commons House of Parliament, That the Ministers about the City of London, be desired to exhort the People to bestow old Garments and Apparell upon the distressed Protestants in Ireland, this House conceiving it will be a very charitable Act.

Hen. Elfyng, Cler. Parl. D. Com.

Septemb. 19. 1642.

York-shire-Hall in Blackwell-Hall, is by the Honourable the Lord Mayor of London, and the Court of Aldermen, appointed for the laying in of such Clothes of all sorts, for men, women, and children, with Shooes, Hats and Linen, such as may bee spared for clothing the poore naked Protestants in Ireland.

It is desired that before the 3. of October next, there may be brought into the place aforesaid, what in that kinde shall be bestowed by well-disposed people, that the same may be ready for Shipping then prepared for Ireland.

FINIS.

His Majesties Speech, to the Gentlemen of Yorkshire,
on Thursday the 4. of August.

Gentlemen,

VHen I directed that Summons should be sent out for your meeting here this day, my principall end was, That I might give you thanks for the great forwardnesse and expressions you have made of your affections to me since I came into this Country, and to assure you, That as the whole Kingdom hath great reason to value you exceedingly for it, so I shall be very unsatisfied with my selfe, till I have found some way to fix a mark of favour, and estimation upon this County, and this people, which may tell Posterity, how good subjects you have beene, and how much Gentlemen; and I am confident the memory of it will grow up with my Sons too, in a just acknowledgment. This was the most I intended to say to you, but there is an unquiet Spirit abroad,

broad, which every day throws in new accidents to disturbe, and confound the publike Peace. How I was driven from *London*, when I chose this place for my safety, is so notorious, that all men know it, who know any thing; with what strange violence, and indignities I have beene pursued, since I came hither, needs no other Evidence, then Sir *John Hosbams* behaviour at *Hull*, who is now arrived in that insolence, That he will not suffer his Treason to be longer confined within those Walls, but makes sallies out of the Towne upon his fellow subjects, drowns their Land, burns and plunders their houses, murders, and with unheard of cruelty, torments their persons; And this with so much delight, That he would not have the patience to wait what Answer should be sent to my just demands, though in that respect, I engaged my selfe, to forbear to use any force, and kept my word; but chose the night before that came, (as if he well knew what Answer I was to receive) to act those outrages.

You see the sad effects of Feares and jealousies, the miseries they have produced; No man can tell you the least good they have brought forth, or the least evil they have prevented: What inconveniencé and burthen my presence hath beene here, what disturbance it hath brought upon the publick, or grievance upon any private person, your selves are best Judges; And whatever scandall some men have pleased to cast upon the Cavaliers (which they intend should reach all my Retinew, & by degrees shall involve all Gentlemen) I am confident, there hath not beene any eminent disorder or damage befallne any man, by any person of my Traine, or under my protection.

I am sure my directions have beene very strict in that point, and if they had not beene observed, I think I should have heard of it by neerer complaints, then from *London*; I pray God the same care may be taken there: I am sure it hath not beene. And to give you the fullest testimony of my affection to you, and to the peace of this County, and to shew you that no provocation shall provoke me to make this place to be the seat of the war, I have for your sakes, passed over the Considerations of Honour; and notwithstanding the reproches every day laid on me, laid no siege to that place, that they may not have the least pretence of doing you mischief, but resolve, by Gods help to recover *Hull* some other way, for that I will ever sit downe under so bold and unexcusable a Treason no honest man can imagine. But it seems other men are not of my minde, but resolve to make a Warre at your owne doores, whatsoever you doe, or I suffer. To what purpose else is their new Generall armed with an authority, to kill and destroy all my good Subjects; their levies of Horse and Foot, some whereof are upon their March towards you, with Cannon mounted, and the sending so many new Souldiers into *Hull*, when there is no approach made towards it, but to sally out, and to commit Rapine, and
by.

by degrees to poure out an Army upon you : In this I must aske your advice, what you would doe for your selves, and what you would have me doe for you; you see how I am stript of my Navie at Sea, which is employed against me, of my Forts and Towns at Land, which are filled with armed men to destroy me, my money and Provisions of my House taken from me, and all my Subjects forbid and threatned if they come neerer me, that I may by Famine or Solitarines be compelled to yeeld to the most dishonourable Propositions, and to put my selfe and Children into the hands of a few Malignant persons, who have entred into a Combination to destroy Us : And all this done under pretence of a trust reposed by the people. How farre you are from committing any such trust, most of the persons trusted by you, and your owne expressions of duty to me, hath manifested to all the World, and how farre the whole Kingdome is from avowing such a trust, hath already, in a great measure, and I doubt not will more every day appear, by the professions of every County : for I am wholly cast upon the affections of my people, and have no hope but in the blessing and assistance of God, the justnesse of my cause, and the love of my Subjects, to recover what is taken from me and them, for I may justly say, they are equall losers with me.

Gentlemen, I desire you to consider what course is to be taken for your own security from the excursions from *Hull*, and the violence which threatens you from thence : I will assist you any way you propose. Next, I desire you, out of the publicke Provision, or your private Store, to furnish me with such a number of Armes (Musquets and Corslets) as you may conveniently spare, which I doe promise to see fully repaid to you : These Armes I desire may be speedily delivered to the custody of my Lord Major of *York*, for my use, principally from those parts, which by reason of their distance from *Hull* are least subject to the feare of violence from thence.

And whosoever shall so furnish me, shall be excused from their attendance and service at musters, till their Armes shall be restored ; which may well be sooner then I can promise, or you expect. I desire nothing of you but what is necessary to be done for the preservation of Gods true Religion, the Laws of the Land, the Liberty of the Subject, and the very being of this Kingdome of *England* ; for tis too evident all these are at stake.

For the compleating my Sons Regiment for the guard of Person, under the command of my Lord *Cumberland*, I referre it wholly to your selves, who have expressed such forwardnesse in us.

FINIS.

A Decla-

could be found, but a Parliament here to quench it.

This necessity brought on this Parliament, and the same necessity gave it in the beginning power, to act with more vigour and resolution, then former Parliaments had done, And to set upon a Reformation of the great disorders, both in the Ecclesiasticall, and Civill state, which drew a more particular envy, and odium upon it, then was usuall to the generality of Parliaments; and as was a cause, that those, who had swallowed up in their thoughts, our Religion and Liberties, and now saw themselves defeated by this means, bended all their indeavours, and raised all their forces to destroy it.

First, whilst the Scottish Army remained here, they indeavoured to incense the two Nations, and engage their Armies one against the other, that in such a confusion as needs must have followed, the Parliament might not bee able to sit, and those forces destroying one another, might open some opportunity for them to gaine their ends upon both Kingdomes; and that then as their need, so the being of the Parliament might cease: The wisdom of the Parliament prevented that mischief, and composed those great differences betwixt the King and the Kingdome of *Scotland*: that plot failing, They endeavoured to turn the English Army against the Parliament: This was discovered, the chief Actors fled, and the danger avoided. Then they labour to stirre up the Scottish Army against us, But such was the faithfulness and affection of those our Brethren, that they could not effect it.

After this they carry the King into *Scotland*, to try if a party could be there raised, to suppress first, the good party in that Kingdome, and so compassse their intended purpose here. At the same time, The Rebellion in *Ireland*, an egge like wife of their hatching, breaks out, but their plot failed in *Scotland*; yet upon hopes of successe there, Such preparatives were here, and such recourse of ill affected persons to this town, that the Parliament thought it necessary for their own security, to have a guard. The King upon His return instantly dismisses that guard, and puts another upon us, which produced such ill effects, as we were glad to dismiss them, and rather run any hazard then have any such a guard.

Thus left naked, presently some members of both Houses are unjustly charged with Treason; and the King comes with a Troop of Cavilliers to the House of Commons, to fetch those away by force, whom he had caused to be so unjustly accused; The greatest violation of the priviledges of Parliament that ever was attempted, and so manifest a destruction of the right of the Subject, which is onely preserved by Parliament, That the city of *London* took a pious and generous resolution, to guard the Parliament themselves; which so grieved and enraged those wicked persons, who had engaged the King

in that last, and all those other delignes and practises against the Parliament, That they make Him forsake *White-Hall*, under pretence that His person was there in danger, a suggestion as false as the father of lies can invent.

Then doe they work upon him, and upon the Queen, perswade her to retire out of the Kingdom, and carry him further and further from the Parliament, and so possesse him with an hatred of it, that they cannot put words bitter enough into His mouth, to expresse it upon all occasions; they make him crosse, oppose, and inveigh against all the proceedings of Parliament; encourage and protect all those who will affront it, take away all power and authority from it, to make it contemptible and of lesse esteem then the meanest Court, draw away the the Members, commanding them to come to him to *Tork* and instead of discharging their duty in the service of the Parliament, to contribute their advice and assistance to the destruction of it, endeavour to possesse the people, that the Parliament will take away the Law, and introduce an Arbitrary government; a thing which every honest morall man abhors, much more the Wisdom, Justice, and Piety of the two Houses of Parliament; and in truth such a charge, as no rationall man can beleve it, it being impossible so many severall persons, as the Houses of Parliament consist of, about 600. and in either House of all equall power, should all of them, or at least the *major part*, agree in Acts of Will and Tyranny, which make up an Arbitrary government; and most improbable, that the Nobility, and chiefe Gentry of this Kingdom, should conspire to take away the Law, by which they enjoy their estates, are protected from any act of violence, and power, and differenced from the meaner sort of people, with whom otherwise they would bee but fellow-servants.

To make all this good upon the Parliament; and either make the Kingdom beleve it, or so aw it, as no body shall dare say the contrary; force is prepared, men are levied, and the Malignant party of the Kingdom, as was before specified, that is, Papists, the Prelaticall Clergy, Delinquents, and that part of the Nobility and Gentry, which either feare reformation, or seek preferment by betraying their Countrey, to serve the Court, have combined to bury the happiness of this Kingdom, in the ruine of this Parliament, and by forcing it, to cut up the freedom of Parliament by the root, and either take all Parliaments away, or which is worse, make them the instruments of slavery, to confirm it by Law, and leave the disease incurable.

That done, then come they to crowne their work, and put that in execution, which was first in their intention, that is the changing of religion into popery and superstition.

A Declaration of the Lords and Commons now assembled in Parliament.

WEE the Lords and Commons in Parliament assembled, Having taken into serious consideration, the present State and Condition of imminent danger, in which the Kingdome now stands, by reason of a malignant Party, prevailing with His Majesty; putting him upon violent and perilous wayes, and now in Arms against us, to the hazarding of His Majesties Person; and for the oppression of the true Religion, The Lawes and Liberties of this Kingdome, and the power and privilege of Parliament: All which every honest man is bound to defend; especially those who have taken the late Protestation, by which they are more particularly tied unto it, and the more answerable before God, should they neglect it: wherefore, wee finding our selves engaged in a necessity, to take up Arms likewise, for the defence of these, which otherwise must suffer and perill; And having used, all the good wayes and meanes to prevent extremities, and preserve the peace of the Kingdome (which good indeavours of ours, the malignity of our enemies hath rendered altogether successelesse and vaine;) Do now think fit to give this accompt unto the world, to be a satisfaction unto all men, of the justice of our proceedings, and a warning unto those who are involved in the same danger with us, to let them see the necessity, and duty which lyes upon them, to save themselves, their Religion, and Countrey; For which purpose, we set out this ensuing Declaration.

THAT it appeares by the Answer which His Majesty hath given to the humble Petition for Peace, presented unto Him by both Houses of Parliament, and those demands which He makes, That the designe which hath bene so long carried on to alter the frame and constitution of this Government, both in Church and State, is now come to ripenesse; and the Contrivers of it, conceive themselves arrived to that Condition of strength, That they shall be able to put it in present execution.

For, What else an ^h signified by the demanding of *Hull*, the Fleet, and the Magazine to be immediately delivered up, All out preparations of force to cease, And the defensive Arms, the Parliament to be laid down, And the Parliament to be adjourned to another place, then, That we should out of the sense of our owne inability to make resistance, yield our selves to the cruel mercy of those who have possessed the King against us, and incited him to violate all the priviledges, and revile the Persons and proceedings of the Parliament? or else, if, (as it cannot bee otherwise conceived) wee doe not grant what is so unreasonable and destructive, forthwith to bring on that force which is prepared against us, by the concurrence and assistance of Papists, an ambitious and discontented Clergy, Delinquents obnoxious to the justice of Parliament; and some ill affected persons of the Nobility and Gentry; who out of their desire of a dissolute liberty, apprehend, and would keep off the reformation intended by the Parliament.

These persons have conspired together to ruine this Parliament, which alone hath set a stop to that violence so long intended; and often attempted for the Alteration of Religion, and subversion of the Laws and Liberties of the Kingdome.

How farre we were plunged in a miserable expectation of most evill daies, and how fast this growing mischief prevailed upon us before the Parliament, needs not now be declared, It being so fresh and bleeding in every mans memory; religion was made but forme, and outside; and those who made conscience to maintaine the substance and purity of it, Whether Clergy, or others, were discountenanced and oppressed, as the great enemies of the state. The Laws were no defence, nor protection of any mans right, All was subject to will, and power, which imposed what payments they thought fit, to draine the subjects purse, and supply those necessities, which their ill Counsells had brought upon the King, or gratifie such as were instruments in promoting those illegall, and oppressive courses. They who yeilded and complied, were countenanced and advanced, all others disgraced and kept under: that so mens minds made poore, and base, and their Liberties lost and gone, they might be ready to let goe their religion, whensoever it should bee resolved to alter it: which was, and still is the great designe, and all else made use of, but as instrumentary and subservient to it,

When they conceived the way to be sufficiently prepared, They at last resolved to put on their master-piecc in *Scotland*, (where the same method had been followed) and more boldly to unmaske themselves, in imposing upon them a Popish service Book, for well they knew the same Fate attended both Kingdomes, and religion could not bee altered in the one, without the other. God raised the Spirits of that Nation to oppose it, with so much zeale and indignation, that it kindled such a flame, as no expedient

rise to bring up the Army against us, and the Earl of *Newcastle* in a disguised habit, which was a pursuance of the Lord *Digbys* advice, and the endeavouring to raise forces under pretence of a Guard to the Kings person in the winter.

All this before we medled with *Hull*, or Magazine, or *Militia*, shew plainly that our act in securing them, was not the cause of the Kings taking up Arms, and exercising hostility upon his loving and loyall subjects, which was in the thoughts and endeavours of those about the King, who then had, and still have the greatest influence upon his counsellors, before we thought of *Hull*, or *Militia*, or any thing else of that nature; and then that our resigning of them now, would not prevail with him to make him lay down his Arms, and return to his Parliament, and gratifie the earnest and longing desires of his people, to enjoy his presence, favour, and protection: But that if he could recover either by our resignation, or any other way, pieces of so much advantage to him, and weakning to us, use would be made of them to our infinite prejudice and ruin, the intention being still the same, not to rest satisfied with having *Hull*, or taking away the ordinance of the *Militia*; But to destroy the Parliament, and be masters of our religion and liberties, to make us slaves, and alter the Government of this Kingdom, and reduce it to the condition of some other countries, which are not governed by Parliaments, and so by Laws, but by the will of the Prince, or rather of those who are about him.

Yet willingly would we give His Majesty satisfaction in these particulars (and so have we offered it) could we be secured, that disarming our selves, and delivering them up to His Majesty, (as the sword of Justice is already put into the hands of divers Popish, and other ill-affected persons, by putting them into the Commissions of the Peace, and other Commissions, and putting out others that are well-affected) so we should not for our owne destruction put the Military sword into the hands of those evill Councellours, and ill-affected persons, who are so prevalent with His Majesty, Papists many of them, or very late Converts, by taking the Oathes of Supremacie and Allegiance, for which, they may very well have a dispensation, or indulgence, to be enabled thereby to promote so great a service for the Popish cause, as to destroy the two Houses of Parliament, and through their sides, the Protestant Religion.

But we have too just cause to beleve and know, considering those continued designs upon us, and the composition of the Kings Army, and of His Council at this time, that these things are desired, to be made use of to our destruction, and the destruction of that which we are bound by our Protestation to defend, and woe to us if we doe it not, at least doe our utmost endeavours in it, for the discharge of Our Duties, and the saving of our soules, and leave the successe to God Almighty.

Therefore we the Lords and Commons are resolved to expose our lives and fortunes

fortunes for the defence and maintenance of the true Religion, the Kings Person, Honour and Estate, the power and priviledge of Parliament, and the just rights and liberties of the Subject.

And for the prevention of that mischievous designe, which gives motion to all the rest, and hath been so strongly pursued these many years, the altering of our religion, which if God in his mercy had not miraculously diverted, long agoe had we been brought to the condition of poor *Ireland*, weltring in our own blood and confusion.

And we doe here require all those who have any sence of piety, honor, or compassion, to help a distressed state, especially such as have taken the Protestation, and are bound in the same duty with us unto their God, their King and Country, to come in to our ayd and assistance: This being the true cause for which we raise an Army, under the Command of the Earle of *Essex*, with whom in this Quarrell we will live and dye.

A Declaration of the Lords and Commons Assembled in Parliament.

VWhereas certaine Infomation is given from severall parts of the Kingdome that divers Troops of Horse are employed in sundry Counties of the Kingdome, and that others have Commission to raise Horse and Foot, to compell His Majesties Subjects to submit to the illegall Commission of Array, out of a Traiterous intent to subvert the Liberty of the Subject, and the Law of the Kingdome, and for the better strengthening themselves in this wicked attempt, doe joyne with the Popish and Jesuiticall faction to put the Kingdome into a combustion and Civill Warre, by leavying forces against the Parliament, and by these Forces to alter the Religion, and the ancient Government, and lawfull Liberty of the Kingdome, and to introduce Popery and Idolatry, together with an Arbitrary forme of Government: And in pursuance thereof, have Traiterously, and Rebelliously leavyed Warre against the King, and by force robbed, spoiled and slaine divers of His Majesties good Subjects travelling about their lawfull and necessary occasions in the Kings protections according to Law, and namely that for the end and purpose aforesaid, the Earle of *Northampton*, the Lord *Dunsmore*, Lord *Willowby* of *Eresby*, Sonne to the Earle of *Linscy*, *Henry Hastings* Esquire, and divers other unknowne Persons in the Counties of *Lincoln*, *Nottingham*, *Leicester*, *Warwick*, *Oxfordshire*, and other places, the Marquisse of *Hertford*, the Lord *Panlet*, Lord *Seymer*, Sir *John Stawell*, Sir *Ralph Hopton*, *John Digby* Esquire, and other their Accomplices, have gotten together great Forces in the County of *Somerset*.

All this while the two Houses of Parliament have with all duty and loyalty still applyed themselves unto His Majesty, and laboured by humble prayers, and cleer convincing reasons and arguments in severall Petitions, to satisfie him of their intentions, the justnesse of their proceedings, their desire of the safety of His royall person, and of the peace of the Kingdom.

And only to preserve that peace, and prevent the pernicious practises of these Incendiarics, (such as the Lord *Digby*, who at first perswaded the King to get into some strong place, that he might protect those whom he stiled the Kings servants, but in truth such as doe divide Him from His Parliament and Kingdom, and might be revenged upon His Parliament, where he said Traitors bare that sway, who in the meane time promised he would doe him service abroad, which by His own Letters appeares to be the procuring supplies against the Kingdome and Parliament, with which he himselfe said he would returne, as since he hath done disguised, with store of Arms, in the Ship called *The Providence*; And when he attempted upon the Kings first going from *White Hall*, to raise some numbers of Horse and Foot under the colour of a Guard for His Majesty, to be the foundation of an Army against the Parliament, which then failing, hath since taken effect, and shews what was then in their thoughts, before *Hull*, or the *Militia*, or any thing else of that nature was in Question) the Parliament thought fit to secure *Hull*, least it might be a receptacle of such ill-affected persons, and of what aid could be gotten from forraigne parts, the Fleet under the Earle of *Warwick* to defend the Kingdome, and prevent such mischiete from abroad; the Magazin of Arms, that they should not be employed against us, and the *Militia* of the Kingdome in such hands as the Parliament might confide in, to suppress commotions within our selves.

And how necessary all this was to be done, the succeeding designs and practises upon them, all doe sufficiently manifest, and great cause hath the whole Kingdome to blasse God, who put it into the heads and hearts of the Parliament to take care of these particulars. For were these pernicious persons about the King masters of them, how easie would it bee for them to master the Parliament, and master the Kingdome? And what could we expect but ruine and destruction from such masters, who make the King in this manner revile, and detest us and our actions? such, who have imbarqued Him in so many designs to overthrow this Parliament? such, who have long thirsted to see Religion and Liberty confounded together?

Let the world now judge, what more could be done by us then wee have done to appeale His Majesty, and regaine His grace and favour, if (after the presenting of such a petition as the last was, so full of submisle, humble, affection-

nate desires of peace, so full of duty and loyalty, as wee thought malice it selfe could not have excepted against it? And having received so sharpe a returne, such expressions of bitternesse, a justification and avowed protection of Delinquents from the hand of justice, Demands of so apparent danger, such manifestations of an intention to destroy us, and with us the whole Kingdom, and this most clearely evidenced by their subsequent actions, even since these Propositions have been made unto us from His Majesty, overturning severall Counties, compelling the Trained Bands by force to come in and joyn with them, or disarming them, and putting their Arms into the hands of leud and desperate persons, thereby turning the Arms of the Kingdome against it selfe (it be not fit for us, not only not to yeild to what is required, but also to make further provision, for the preservation our selves, and of those who have sent us hither, and intrusted us with all they have, Estates, Liberty, and Life, and that which is the life of their lives, their religion, and even for the safety of the Kings person now environed by those, who carry Him upon His owne ruine, and the destruction of all His people: at least to give them warning, that all this is in danger; That if the King may force this Parliament, they may bid farewell to all Parliaments, from ever receiving good by them; and if Parliaments be lost, they are lost; Their Laws are lost, as well as those lately made, as in former times, all which will be cut in sunder, with the same sword now drawne for the destruction of this Parliament.

Then if they will not come to help the Parliament, and save themselves, though both they and wee must perish, yet have we discharged our consciences, and delivered our soules, and will look for a reward in Heaven, should we be so ill requited upon Earth, by those of whom wee have so well deserved; which we cannot feare, having found upon all occasions such reall Demonstrations of their love and affection, and of their right understanding and apprehension of our and their common danger, especially now, that the Question is so clearly stated, and that it appeareth that neither *Hull*, nor the *Militia*, nor the Magazine, are the grounds of the warre, which is so furiously driven on against us by a Malignant party of Papists, those who call themselves Cavilliers, and other ill-affected persons; but so far forth onely as the Parliament and all the Members of both Houses, and all other persons who have shewed themselves forward for the defence of the sincerity of Religion, the Laws and Liberties of the Kingdome, and the just power and priviledges of Parliament are preserved and secured thereby.

For the many designes upon the Parliament above mentioned, the attempts to be possessed of *Hull*, and of the Magazine, by sending thither Captaine *Leg* a Delinquent to the Parliament, for having had a hand in the treasonable pra-

The Lords and Commons in Parliament duly considering the great dangers which may ensue upon such their wicked and Trayterous designs, and if by this meanes the power of the sword should come into the hands of Papists and their Adherents, nothing can be expected but the miserable ruine and desolation of the Kingdome, and the bloody massacre of the Protestants; they doe Declare and Ordaine, that it is, and shall be lawfull, for all His Majesties loving Subjects, by force of Armes to resist the said severall parties, and their Accomplises, and all other that shall raise or conduct any other forces for the ends aforesaid, and that the Earle of *Essex* Lord Generall, with all his forces raised by the authority of Parliament; as likewise the Lord *Say*, Lievtenant of *Oxfordshire*, Earle of *Peterborough*, Lievtenant of *Northamptonshire*, Lord *Wharton*, Lievtenant of *Buckinghamshire*, Earle of *Stamford*, Lievtenant of *Leicestershire*, Earle of *Pembroke*, Lievtenant of *Wiltshire* and *Hampshire*, Earle of *Bedford*, Lievtenant of *Somersetshire* and *Devon*, Lord *Brooke*, Lievtenant of *Warwickshire*, the Lord *Cramborne* Lievtenant of *Dorsetshire*, the Lord *Villoughby* of *Parham*, Lievtenant of *Lincolnshire*, and all those who are or shall be appointed by Ordinance of both Houses to performe the place of Deputy Lieutenants, and their Deputy-Lieutenants respectively, *Densill Hollis* Esquire, Lievtenant of the Citie and County of *Bristol*, and the Majors and Sheriffs of the City, and Deputy Lieutenants there, and all other Lieutenants of Counties, Sheriffs, Majors, Deputie-Lieutenants, shall raise all their power and forces of their severall Counties, as well Trained Bands as others, and shall have power to conduct, and lead the said forces of the said Counties against the said Traytors and their adherents, and with them to fight, kill and slay all such as by force shall oppose them, and the Persons of the said Traytors, and their Adherents and Accomplises to arrest and imprison, and them to bring up to the Parliament, to answer this their Trayterous and Rebellious attempts according to Law, and the same or any other forces to transport and conduct from one County to another, in ayd and assistance one of another, and of all others that shall joyn with the Lords and Commons in Parliament, for the defence of the Religion of Almighty God, and of the Liberties and Peace of the Kingdom, and in pursuit of those wicked and Rebellious Traytors, their Conspirators, Ayders and Abettors and Adherents, requiring all Lieutenants of Counties, Sheriffs, Majors, Justices of Peace, and others His Majesties Officers and loving Subjects, to be ayding and assisting to one another in the Execution hereof, and for their so doing all the parties above mentioned, and all others that shall joyn with them, shall be justified, defended and secured by the power and Authority of Parliament.

Die Lune. Aug. 8. 1642.

Ordered that this Declaration be forth with Printed and Published.

Hen. Elfinger Cler. Parl. D. Com,

FINIS.

His Majesties Declaration,

In answer to a Declaration of the Lords and Commons assembled in Parliament, for the raising of all Power and Force, as well Trained Bands as others, in severall Counties of this Kingdom, to lead against all Traitors and their Adherents, &c.

AS much experience as We have had of the inveterate rancour and high insolence of the malignant Party against Vs, We never yet saw any Expression come from them so evidently declaring it, as the Declaration, intituled, *A Declaration of the Lords and Commons assembled in Parliament for the raising of all Power and Force, as well Trained Bands, as others in severall Counties of this Kingdom, to lead against all Traitors and their Adherents, &c.* In which that Faction hath, as it were distilled and contracted all their Falshood, Insolence, and Malice, there being in it not one Period which is not either Slanderous, or Treasonable. And nothing can more grieve Vs, then that by their infinite Arts and Subtilty (imployed by their perpetuall and indefatigable industry) and by that Rabble of Brownists and other Schismatics, declaredly ready to appeare at their call, they should have been able so to draw away some, and drive away others of Our good Subjects from Our Parliament, as to prevaile with the major part remaining of both Houses (how much soever that major part be the smaller in comparison of the whole) to suffer that name (whose reverence by all means We desire to preserve) to be so soiled, as to be prefixt to a Paper of this insufferable nature, that tends not onely to the destruction of Our Person, but to the dissolution of this Government, and of all Societie; If at least this Declaration (which We rather see cause to hope it hath not) have so much as been seen in the Houses, and be not the single worke of the same omnipotent Committee, to which is devolved the whole power of the the Parliament, and which, as We understand, is trusted (without acquainting the Houses) to breake up any mans House) and take away the Arms and Money, intended to defend and feed him (if they shall see cause to suspect that he meant to assist his Sovereigne with them) and may well be as fully and implicitly trusted to declare, as to Act whatsoever they please; And though We doubt not, but to their utmost they will continue that Injurie to Vs, and that Violation of the Subjects Liberty, and of publike Right, to vex and Imprison those who shall publish any of Our Answers to their Declarations (and indeed whilest they affirme against all Truth, and command against all Law.

it concerns them to take care, that nothing be heard but what they say) yet Our comfort is, that Our Intentions, and the Duty of Our Subjects are so well and so generally known to Our People, that Wee cannot feare (from whom soever it come, and though no Answer came out with it) that either what is there said should be believed, or what is there commanded should be obeyed. Who knows not, that Our Commissions for Horse and Foot were not granted out, till not onely Our Prerogative, but Our Propriety, Our Goods, Arms, Towns, *Milnia*, and Negative Voice were taken from Us, and all the Kingdom commanded to be in arms, and invited to bring in Horse, Plate and Money, to frame an Army against Our Command and Proclamation, and till Horse were raised and Mustered accordingly, and then with no intention (nor hath any Action in any of Our Ministers given the least suspicion of such an intention) by them to compell Our Subjects to submit to Our Commissions of Array, or make use of them against the Parliament, but to regain *Hull* held out in Rebellion against Us, and to suppress all such as without Our Authority and against Our Commands should raise Forces in this Our Kingdome, and leavy War against Us, under pretence of any Order or Ordinance of one or both Houses, and such Traiterous Assemblies and Marches have been the onely lawfull and necessary Occasions of Our good Subjects, which have been so much as interrupted by any Troops of Ours; And what is affirmed of the spoyling and killing them, as they were so travelling under Our Protection, and according to Law, is a most malicious Affirmation, as well without Truth, as without Instance, invented at once to make Our Troopes terrible, and Us odious to Our People.

What care have Wee taken, that by this meanes the power of the Sword should not come into the hands of Papiſts, who have by Our Proclamation strictly charged, That no Papiſt should presume to lift himself, either as Officer or Souldier in this Our Army, having directed how he should be discovered, if he did presume, and suffer, if hee were discovered? What care have Wee taken to avoid Combustion and civill War, offering to lay down Our Armes when they should have laid down theirs; in whom it was Treason to take them up, and restored Us those things which could not without Treason, as well as Injustice, be forced away and kept from Us, Our Arms, Ships, Towne, &c. And when Wee might meet both Our Houses in a safe and secure place to debate freely of all the differences in a Parliamentary way. And by whose influences these Propositions were received, and whether the Proposer or Rejecters were most carefull to avoid this ruine and desolation of the Kingdom, Wee leave all the World to judge, and whether they who divert the Men and Money collected for the reliefe of distressed *Ireland* to raise Forces against their Prince

(who asks them nothing but what is legall, nor will deny them any thing that is) doe not joyn with the Popish and Jesuiticall Faction in the bloody Massacre of many thousand Protestants in that miserable Kingdome. Wee propose likewise to every mans judgement, whether the declaring those to be Traitors, who execute Our Commission of Array (issued in so many Kings Reignes, agreed upon by Parliament, and there yielded to by the King, to be letted as now it is, as a matter of great Grace; and since that time, which was in 5 Hen. 4. in no Parliament complained of) whilst Our good Subjects are vexed and imprisoned, not onely for resisting, but for humbly petitioning, so as may seem but to insinuate something against their most illegall Commands concerning the *Militia*; (to which power of commanding no Title can be made by any Statute, or any President, nor can We ever find by search, nor obtain to be told what those Fundamentall Laws are by which it is pretended, so deep those Foundations are laid beyond all meanes of discovery.) And the declaring that those who raise men by vertue of Our Command and Commission, (the onely Legall way) Traiterously and Rebelliously leavy War against the King; and ordaining it to be Lawfull for all Our Subjects by Force of Arms to resist them, and their Accomplices; and the raising Forces by Authority of Parliament (that is by the remayning part of both Houses) never in the most outrageous Times before attempted, and commanding severall Persons, whom they call Lieutenants, to lead, and giving them Power to transport from one County to another the Forces of severall of Our Counties against them; and to kill and slay all such as by Force shall oppose them, Our Self not excepted; commanding all Our Officers and Subjects to be assisting to them, and undertaking to secure them for so doing, by the Power and Authority of Parliament (which is first to allow, and next to command, and then to pardon Treason) be not to have already subverted, as much as in them lyes, the Liberty of the Subject, the Law of the Land, and altered the Ancient Government of the Kingdome, leaving Our Subjects without all Rule to walke by, when the most cleere Laws cannot direct and secure them, and they see all those ancient Bounds past over, which were ever as much knowne to be the duty of both Houses to observe, as it was evident that there were, and that it was necessary that there should be Two Houses of Parliament; and at once behold the Law (which is to protect & defend the Subject, & Us (who are to protect & defend the Law) need defence and protection. Wee doubt not therefore but all our Good Subjects will come into Our Assistance, and that this wicked Charge of intending to introduce Popery, Idolatry, and Arbitrary Government, laid by Implication upon Us (because We defend Our Selfe, and would recover Our Own) will be so far from being a Motive against Us, that this

intollerable Indignity and damnable Scandall (so daily and visibly confuted by all Our Professions and Actions) will increase Our good Subjects zeale towards Vs, and their indignation against the Contrivers: And they will esteem themselves obliged by the Religion of Almighty God, to oppose this War, so impiously, so treasonably, and so groundlesly made upon Vs, their King, and His Anointed. We therefore require all Our Commissioners of Array, Sheriffs, and all Our other Officers and Ministers, to raise all the Power and Forces of their severall Counties, to assist the Marquesse of *Hertford*, the Earle of *Northampton*, the Lord *Willoughby* of *Eresby*, the Lord *Paulet*, the Lord *Dunsmore*, the Lord *Seymour*, *Henry Hastings* Esquire, Sir *John Stowell*, Sir *Ralph Hopson*, *John Digby* Esquire, and all other in the Legall and necessary execution of Our Commissions of Array, and in the raising and conducting of such Horse and Foot as shall be raised by Our Commission, and by Force of Arms to oppose the Earle of *Essex*, the Lord *Say*, and all other that shall raise or conduct any Forces raised by pretence of Authority of both Houses, and the persons of all such Traitors and their Adherents and Accomplices to arrest and imprison, to the end they may be brought to a faire and Legall triall by their Peers, and according to the Law: And this We require from them, as they tender the defence of Our Person, The true Religion, The Law of the Land, The Liberty and Property of the Subject, And the true and just Priviledges of Parliament: And for so doing they shall be defended and secured by Vs, and by the Law; with whom, and with which We doubt not but Our Subjects will sooner chuse to live and die, then with the Earle of *Essex* and his Adherents.

FINIS.

By the King.

A Proclamation for the suppressing of the present Rebellion, under the Command of *Robert* Earle of *Essex*: And the gracious offer of His Majesties free pardon to him, and all such of his Adherents, as shall within six dayes after the date hereof lay downe their Armes.

V Whereas, now at the last, those seditious and traiterous Conspells and Consultations, which have beene long in designe, and which long since we foresaw, have produced such manifest and open effects of Treason and Rebellion against Us, that there are already

ready great numbers of Hoyle, and Foot Raised, Arrayed, Quartered and Trained under pretence of authority of Our two Houses of Parliament, without and against Our consent in and about Our Cities of London and Westminster in a warlike manner, and there are many more in Raising with speed, and Robert Carle of Essex, by the said pretended authority, without Our consent, hath been nominated to be Captain Generall of those Troops and Forces; and forgetting the duty and Allegiance, which he oweth to Us his Sovereign, hath taken upon him, and accepted that Title and Command of Captain Generall, and in that quality appeareth amongst the Rascallz, animating and encouraging himself and them in these Trayterous and Rebelious designs; and, as it is now notoriously known, the said Carle and his Adherents intend speedily to march from thence towards the Port where we now reside, and in a warlike manner to assault and oppose Us, and those who shall attend or assist Us, under pretence of defending Our Person, and the two Houses of Parliament, and prepare traitorously to surprize or besiege Our Town of Portsmouth, and to possess themselves thereof with Force, the same being a Town and Port of great importance in the Western parts of this Kingdom; and also to surprize, or by force, to take and possess themselves of all other Castles, Forts, and places of strength within this Kingdom, and all this to strengthen them and their Party, in these their Trayterous and Rebelious Designs; all which are not now taken up by Us, upon information of others and by conjecture, but do manifestly appear to the whole world by that insolent and prodigious Commission of Captain Generall over the whole Kingdom of England, and Dominion of Wales, which in the name of the two Houses of Parliament is granted unto the said Carle; but hath indeed been contrived by some few malignant persons, members of either house, whereby they have intended to confer upon him; and the said Carle, under that colour, hath assumed unto himself those Titles, and begun to put in execution those Powers and Authorities which are inconsistent with Our Sovereignty; All which is so done contrary to all Rules of Religion, Lawes, Allegiance, or common Honesty.

We do now therefore publish and declare, by this Our Royall Proclamation, That the said publike and notorious Acts and Actions of the said Carle, are Acts and Actions of high Treason, being a manifest levying of War against his naturall Liege Lord and King, expressly within the words, and meaning of the Statute made in the twenty fife year of King Edward the sixth, declaring the same; of which in Law, there needs no more to be said. And that the said Carle of Essex is a Rebel and Traytor unto Us, and to Our Crown, and that he, and all such Cap-
taines,

taines, and Officers, which upon notice hereof, shall not immediately quit their commands under him, or any others, by the like unlawful and usurped Power without and against Us, are also guilty of high Treason within that Statute, and ought to be adjudged, and esteemed, and proceeded against as Traitors and Rebels.

And yet, out of Our Grace and Clemency towards such of Our Subjects as have been abused and misled by the said Earle, and such others as join themselves with him in these desperate courses, and to preserve the Peace of this Kingdom (if it be possible) and to avoid the shedding of blood, We abhorring the name of a Civil War, if it can by any good means be avoided, we do by this Our Proclamation admonish the said Earle and all Our Subjects whom it may concern, which are now already joined, or shall join themselves to the said Earle, in this act of Hostility, that forthwith they lay down their Arms, as well Horse as Foot, and all other preparations for the war, and instantly, without delay, return to their own homes and habitations, and there quietly and peaceably employ and bestow themselves in their proper vocations and callings, and that hereafter they make not or interpose themselves in these or any the like rebellious & traitorous undertakings or actions: Which if they do readily and really perform within six dayes after the date of these presents We do hereby promise and undertake, in the word of a King, That We will freely extend Our mercy unto them, and grant unto them Our free and full pardon, for all that hath been or shall be committed before that time. But if they shall neglect this Our Grace and favour now extended unto them, and persist in any acts of hostility against Us, or not disband upon notice of this Our Proclamation, We shall esteem of them as Rebels and Traitors to Us, and to Our Crown, and as publicke enemies to the happy Peace of this Kingdom. And that from thence We shall proceed against them, and deal with them as Rebels and Traitors, and by the blessing of God, in whom We put Our Confidence, and by the assistance of Our faithful and good Subjects, upon whose fidelity and affections We rely, We doubt not but We shall be prevail against all their traitorous Conspiracies and rebellious machinations, as shall vindicate Our honour, and the honour of Our Crown, preserve Our good and loyal Subjects from their malice and fury, and restore and settle the peace of this Kingdom, and make the Delinquents so exemplary, as shall deter others from ever attempting the like Insolecies.

And We hereby require and command all Our Commissioners of Array, Lieutenants, Deputy Lieutenants, Sheriffs, Justices of Peace, Mayors, and all other Our Officers, Ministers, and loving Subjects, That they and every of them in their severall places, do their best and uttermost endeavours,

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bours to resist and subdue the said Earl, and his adherents, and those who shall assist them or any of them, and to apprehend, or otherwise to destroy them, and every of them, that so they may receive condigne punishment for their disloyalty. And that they be ready, according to their Duties and Allegiance, to assist Us, and those Our good Subjects who do adhere unto Us, according to Our iust Commands in or concerning the Premises.

And more particularly, We require and command Our Commissioners of Array, Lords-Lieutenants, Deputy-Lieutenants, Captains, and Officers of Our Trained Bands, of or in Our Counties of Southampton, Suffex, and Surrey, that so many of them as to that purpose Colonel Goring shall call to his aid, as he shall see cause, shall, with such Forces as are under their command, repair unto Our said Town of Portsmouth to assist the said Colonel George Goring Our Captain and Governour of the said Town, for the defence of the said Town, and to Oppose, Resist, and Destroy all those who under the command of the said Earle of Essex, or any other, shall attempt any violence against the said Town.

And We do further require and command Our right trusty and right well beloved Cousin and Councello William Marquesse Hertford, That with all speed he raise all the Forces he can, within all or any the Counties contained within that Commission We have given unto him, whereby he is made Our Lieutenant Generall of all Our Forces within Our Counties of Devon, Cornwall, Somerset, Dorset, Wilts, Southampton, Gloucester, Berks, Oxford, Hereford, Monmouth, Radnor, Brecknock, Glamorgan, Carmarthen, Pembroke, Cardigan; Our Cities of Exeter, Bristol, Gloucester, Oxford, Bath and Wells, new Salisbury, and Hereford, and the Counties of the same; the Towns of Poole and Southampton, and Haverford West, and the Counties of the same, and with the Trained Bands of those Counties and others, who shall voluntarily offer their service to march against the said Earle, or any others under his command, or under the command of any others not authorized by Us, and them to Resist, Oppose and Subdue, and especially for the defence of the said Town of Portsmouth, and for the Isle of Wight, in Our County of Southampton, as there shall be occasion.

And We do hereby desire and require Our loyall and loving Subjects of and within the said Counties, being of the Trained Bands, or voluntary Levies within the said Commission, to repair with their Horse and Foot, well Armed, Arrayed, and Furnished, to such place or places as the said Marquesse shall appoint; and that they, and all other Our good and loving Subjects within this Realme, shall, according to such directions as We shall give to that purpose, repair to Us at such place where We shall pitch and set up Our Royall Standard, and where We purpose, in Our owne
Person,

Person, to be present, and there and in such places whither We shall com-
mand them, or cause them to be conducted, to serve us for the defence of Us,
and of Our Kingdome, and of the true Protestant Religion and the known
Laws of the Land, and the full Liberties of Our Subjects and the full
Priviledges of Parliament, and to suppress the poysonous and Insolent
Rebellion of the said Earle, and his Adherents, and reduce them to their
due obedience, and for re-settling of the happy Peace of this Kingdom.

And in this time of urgent necessity, which so much importeth the safety,
and even the very substance of Us, and Our good people, we shall take it
as an acceptable Service to Us, and much conducing to the Peace of Our
Kingdom, if Our loving and well affected Subjects, within Our said Coun-
ties contained within Our Commission granted to the said Marquesse, do
and will cheerfully and voluntarily contribute unto Us, and give unto Us,
such assistance in Money or Plate, as they shall think fit, by Loan, or o-
therwise, to be delivered to the hands of the said Marquesse, or of the Com-
missioners of Array, for those severall Counties respectvely to be disposed
of to this publike use; and not otherwise; and that Our loving and well
affected Subjects of all other the Counties of this Kingdom, will, to the
same use, and not otherwise, contribute unto and assist Us in like manner,
such contribution and assistance to be paid or delivered to Our Use into the
hands of Our Commissioners of Array for those other Counties respec-
tively, or to such of them as they shall nominate, and appoint to that
purpose.

And lastly, in all these Our just and necessary Commands, We require,
That ready obedience, from all Our Commissioners, Sheriffs, Justices
of Peace, Justices, Constables, and other officers, and loving Subjects, in
their severall and respective places, which appertaineth to their severall
duties, as they tender Our Honour, and Safety, and the Honour, Safety,
Peace and Prosperity of the Church, and Kingdom of England, and as
they will answer their neglects, at their utmost perills.

Given at Our Court at York the ninth day of August in the eighteenth yeer
of Our Reign. 1642.

A Declaration and Resolution of the Lords and Commons assembled in Parliament.

Concerning His Majesties late Proclamation for suppressing the present Rebellion, under the Command of *Robert Earle of Essex*, and the gracious Offer of his Majesties free pardon to him and all such of his adherents, as within six dayes after the date thereof, shall lay downe their Armes.

The Lords and Commons having received in a letter from his Majesty a Printed paper, Intituled, A Proclamation for the suppressing of the present Rebellion under the Command of *Robert Earle of Essex*, and the gracious offer of his Majesties free pardon to him and all such of his adherents, as shall within six dayes after the date thereof lay downe their Armes, doe publish and declare, that the matter of this libellous and scandalous paper, is the venom of those Traiterous Counsellors about his Majesty, long since discovered, and so often complained of by both Houses of Parliament, who having for many yeares together carried on a wicked designe, to alter Religion and to introduce Popery, Superstition, and Ignorance, the ready way to an Arbitrary and Tyrannicall Government, and for that purpose, not onely in maintained Agents at *Rome*, but invited and procured sundry Nuntioes or Agents, to be sent into this Kingdome from the Pope, by which meanes Popery and Superstition was so far advanced, that nothing but the convening of this Parliament, occasioned by the coming of the Scots, could in all humane reason have prevented them in their designe, the onely true reason which these mischievous Counsellors, maligning that Power which opposes it selfe against their destructive and horrid Counsels, have now at last, as the Master-piece of all their Machinations, advised his Majestie, in effect, to proclaime at once, his House of Peeres, the Hereditary Counsellors of the Kingdome, and his House of Commons, the representative Body of the whole Commons of the Kingdome, to be all Rebels and Traytors, and by that paper have endeavoured so to blind the eyes of the people, as to make them guilty of their owne destruction, by helping to subdue and destroy the Parliament, (the onely meanes under God, to preserve their Religion, Law, and Liberties, and to perswade the Kingdome that his Majesty by assistance of Papists and persons popishly affected, will maintaine the Protestant Religion. That by the helpe of men utlawed and of desperate fortunes will maintaine the Lawes of the Land, and with Fugitives from Parliament, and Delinquents to the Parliament, will preserve the Priviledges thereof: an attempt so desperate and so transcendently wicked, that the Lords and Commons doe unanimously publish and declare, that all they who have

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advised, contrived, abetted, or countenanced, or hereafter shall abbet, or countenance the said Proclamation to be Traitors and Enemies to God, the King, and Kingdome, and to be guilty of the highest degree of Treason that can be committed against the King and Kingdome, and that they will by the assistance of Almighty God, and of all honest English Protestants, and lovers of their Country, doe their best endeavours (even to the utmost hazard of their lives and fortunes, to bring all such unparallel'd Traytors to a speedy & exemplary punishment. And whereas the Lords and Commons in Parliament did formerly chuse the Earle of *Essex* to be Captaine Generall of such Forces as are, or shall be raised, for the maintenance of the true Protestant Religion, the Kings person, the Lawes of the Land, the peace of the Kingdome, the Liberty and propriety of the Subject, and the rights and privileges of Parliament, The said Lords and Commons do declare, that they will maintaine and assist him, and adhere unto him the said Earle, with their Lives and Estates in the same cause, as in conscience and duty to God, the King, and their Country they are bound to doe. And lastly the Lords and Commons doe further declare, that notwithstanding those wicked Counsells which inclined his Majesty to make warre against our brethren of *Scotland*, and by prayers and proclamations read in Churches to pronounce them Rebels and Traytors that withheld his Majesty from setting forth any Proclamation against those bloody and barbarous Rebels in *Ireland*, till *January* last, although the rebellion brake forth the 23 of *October* before, and notwithstanding the importunity of both Houses of Parliament that a Declaration might issue to that purpose, have now advised and prevailed with his Majesty by this Proclamation, to invite his Subjects to destroy his Parliament and good people by a Civill War, and by that meanes to bring ruine, confusion and perpetuall slavery upon the surviving part of a then wretched Kingdome. Yet the Lords and Commons, to witnesse their constant and unshaken Loyalty and affection to his Majesty, doe solemnly declare, That if his Majesty shall immediately disband all his forces, and bee pleased to abandon those wicked Counsellors, and leave them to condigne punishment, and return and hearken to the wholesome advise of his Great Councell: they will really endeavour to make both his Majesty and his Posterity, as Great, Rich, and Potent, as much beloved at home, and feared abroad, as any *Prince* that ever swayed this Scepter: which is their firme and constant Resolution.

Ordered by the Lords and Commons Asssembled in Parliament, that this Declaration and Resolution be forthwith Printed and Published.

Hen. Elsyng Cler. Parl. D. Com.

FINIS.

T t t 2

By

By the King.

A Proclamation declaring His Majesties expresse Command, That no Popish Recusant, nor any other, who shall refuse to take the two Oathes of Allegiance and Supremacie, shall serve Him in His Army: And that the Souldiery commit no rapines upon the People, but be fully provided of necessaries for their money.

VWhereas We have heretofore, by Our Proclamation, straightly charged and commanded, That the Lawes should be put in due execution against Popish Recusants; and We have, and shall have it still in Our care, to suppress and prevent the growth of Popery, and to use all good means that may tend thereunto, and not to countenance Papists, by any employment or trust, by or for Us. And whereas there are now at and near London great Forces levied, and in levying, and Monneys raising, by way of contribution, and otherwise, towards the charge of raising, and maintaining an Army, or Forces, under pretence of the Order of Our two Houses of Parliament, not onely without Our consent, but contrary to Our severall expresse Commands, published by severall Proclamations, Letters, and otherwise. And the same Forces are actually in so much forwardness, as that there are divers Horsemen daily Exercised, and Trained in places about London, and great numbers of Foot in raising; and a Generall and other principall Officers are nominated and declared, and they have accepted and taken upon them those places, and have already done severall Acts of Hostility against Us, which clearly appear to be a levying of War against Us; We have found it necessary, to raise and levy Forces, for the defence of the true Protestant Religion, Our Person, the two Houses of Parliament, the Lawes of the Land, the liberty and Propriety of the Subject, and the iust Priviledges of Parliament. And now, lest any Popish Recusants should presume to offer to serve Us herein, or procure themselves to be listed, as Officers, or Souldiers in Our Army, without Our knowledge, and to the end that Our intention herein may be clearly known, That whereas one principall aim of raising these Forces, is, for the defence and maintenance of the true Protestant Religion, We may not be served with
Papists.

Papists, as falsly and slanderously hath been objected against Us We do hereby declare Our expresse Will and Pleasure to be and We do hereby straightly Command, That no Person or Persons soever being Popish Recusants, shall presume to come to Our Court, contray to the Law in such Case provided, nor any Popish Recusant, or Papist take any Office, or Place, or List himself as a Souldier in this Service.

And to the end there may be as full discovery as can be made of such as shall, contrary to this Our Proclamation, be so listed into such Our service, We do straightly command and charge all officers and Souldiers, who shall be entred or listed for this our service, That upon the first muster-day after they shall be so listed, they take the oathes of Supremacy and Allegiance, both which We shall take care shall be tendered unto them according to the Law, throughout our Army. And if any shall continue his name in those Lists, and yet shall refuse the said oathes, we shall not onely cashier them, but also otherwise proceed against them, according to the Law.

And as We shall be carefull that all Our Officers and Souldiers shall be duly paid, that there be no occasion or pretence of necessity amongst them to burden any of Our Subjects, So we do hereby straightly charge and command, That none of the said Officers, or Souldiers presume to take any thing from any of Our good Subjects, without due payment for the same, nor commit any unlawfull Violence or Outrage. And to all these Our commands We expect a strict Obedience of all Our Subjects whom it may concern, as they will answer the contrary at their uttermost perill. And being thus carefull that by this Our necessary service, Our Subjects should not in any degree suffer or be wronged, so We do expect and require, That all Our Sheriffes, Justices of Peace, Mayors, Bayliffes, and all other Our Officers and Subjects, should use their best endeavours as there shall be occasion for the assistance and convenient supplies of Our said Officers, and Souldiers, with such things as shall be necessary and fit for them, at reasonable Rates and Prices.

Given at Our Court at York the tenth day of August in the eighteenth yeer of Our Reign. 1642.

God save the King.

By

By the King.

A Proclamation by His Majestie, requiring the Aid and Assistance of all His Subjects on the Northside *Trent*, and within twenty Miles Southward thereof, for the suppressing of the Rebels, now marching against Him.

VV Hereas divers Persons, bearing an inward Hatred and Malice against Our Person and Government, and ambitious of Rule and places of Preferment and Command, have raised an Army, and are now traitterously & rebelliously, (though under the specious pretence of Our Royall Name and Authority, and of the defence of Our Person and Parliament) marching in Battell Array against Us their Alege Lord and Soveraign, contrary to their Dutie and Allegiance whereby the common Peace is like to be wholly destroyed, and this flourishing Kingdom in danger to perish under the miseries of a Civill War, if the malice and rage of these persons be not instantly resisted: And as We do, and must relye on Almighty God (the Protector and Defender of his Anointed) to defend Us, and Our good People against the malice and pernicious designs of these men, tending to the utter ruine of Our Person, the true Protestant Religion, the Lawes established, the Propertie and Libertie of the Subject, and the very being of Parliaments; So We doubt not but Our good People will in this necessarie Contribute unto Us, with all Alacrity and Cheerfulness, their assistance in their Persons, Servants and Money, for the suppression of the same Rebellion: And therein We cannot but with much contentment of heart acknowledge the Love and Affection of Our Subjects of Our Countie of York, and divers other Counties. in their free and ready assistance of Us; which We shall never forget, and Our Posteritie will, as We hope, ever remember for their good.

Nevertheless, in this Our extreame necessitie, though We have been most unwilling, We are now inforced for Our most iust and necessary defence, again to call and invite them, and all other Our Subjects, of the true Protestant Religion, residing on the Northside of *Trent* or within twenty Miles Southward thereof, whose hearts God Almighty shall touch with a true sense and apprehension of Our sufferings, and of the ill use which the Contrivers and Fomenters of this Rebellion have made of Our Clemency, and desire of Peace. That according to their Allegiance, and as they ten-

for the safetie of Our Person, the Propertie of their Estates, their iust Liberties, the true Protestant Religion, and Priviledges of Parliament, and indeed the very Being of Parliaments, they attend Our Person upon Sunday, the two and twentieth day of this instant August, at Our Town of Nottingham, Where, and when We intend to erect Our Standard Royall, in Our iust and necessary Defence, and whence We resolve to advance forward for the suppression of the said Rebellion, and the Protection of Our good Subjects amongst them, from the burthen of the slavery and Insolence, under which they cannot but groan, till they be relieved by Us.

And We likewise call, and invite all Our Subjects, of the true Protestant Religion, in the remoter parts of this Our Kingdom, to whom notice of this Our Proclamation cannot so soon arrive, That with all speed possible, as they tender the sozenamed Considerations, they attend Our Person in such place, as We shall then happen to Encamp; And such of Our said Subjects, as shall come unto Us (either to Our said Town of Nottingham, or to any other place, where We shall happen to Encamp) Armed, and Arrayed with Horse, Pistols, Muskets, Pikes, Corbets, Horses for Dragoons, or other fitting Arms and Furniture, We shall take them into Our Pay, (such of them excepted, who shall be willing, as Volunteers, to serve Us in this Our necessity without Pay.) And whosoever shall, in this Our Danger and Necessity, supply Us either by Gift, or Loan of money, or Plate, for this Our necessary Defence (wherein they also are so nearly concerned) We shall, as soon as God shall enable Us, repay whatsoever is so lent, and upon all Occasions Remember, and Reward this Our good Subjects, according to the measure of their Love and Affections to Us and their Countrey.

Given at Our Court at York the twelfth day of August, in the eighteenth year of Our Reign. 1642.

God save the King.

His

His Majesties Declaration to all His loving Subjects
concerning the proceedings of this present
Parliament, *Aug. 12, 1642.*

TIs more then time now, after so many Injuries and Indignities offered to Our Royall Person, so many Affronts and Scorns put upon our Kingly Office, so many scandalous, seditious and traitorous Pamphlets against Our Self and Our Government, to vindicate Our Self from those wicked and damnable Combinations and Conspiracies which the implacable malice and insatiable ambition of some persons have contrived against Us, and to let all Our loving Subjects know how much they are concerned in Our Sufferings, and how much their Peace and Security is shaken in the Assaults which are made, and the wounds which are given to Our Honour and Authority, and (how specious soever their pretences are of Religion and Liberty) that in truth their end is nothing but Anarchy and Confusion in either: in the relation and consideration whereof (though Wee take no delight in the sharpnesse and bitternesse of expressions) 'tis no wonder, if being compelled to take notice of Actions of a high and injurious nature, and to consider and answer words impetuously directed against Majesty it Selfe, Wee be likewise enforced to use a dialect rougher and different from what We have used to treat in (tis a weapon We blush to find Our Self put to exercise.) And Wee call the Almighty God to witnesse, that though Wee were extreainly sensible of the violent and unjustifiable Impositions upon Our Royall Office and Authority, of the apparent hazard and danger which threatned Our own Person, and Safety; yet not so much the particular consideration of Our Self, hath engaged Us in the Resolution We have now taken, as the publick Care of the true Protestant Religion, the preservation of the Law, and the Liberty of the Subject, and the upholding the whole frame and constitution of this Kingdome, so admirably founded and continued by the blessing of God, and the wisdom of Our Ancestours, to the wonder and envy of all the neighbouring Kingdomes, which the faction and ambition of a few discontented spirits, with their counterfeit shews of Religion, and pretences of Libertie, endeavour to shake and rend asunder, and to bring Our Self and all the Subjects of this Kingdom into perpetuall subjection unto their vast, unlimited, arbitrary, seditious Jurisdiction, We shall begin Our discourse from the beginning of this Parliament. For of the unhappy dissolution of the last (by the mis-information and advice of some persons, looked upon now under another character,) We shall forbear to speak; being resolved that no disregard or undutifulnesse of other men towards Us, shall

shall ever prevail with Us, to do what Wee think unsutable to the Honour and Reputation of a just Prince, and of a good and a loving Master.

When Wee resolved to summon this Parliament; (which Wee did out of Our owne earnest and affectionate desire to beget a good and right intelligence betweene Us and Our People, and before the meeting of Our Great Councell at *Yorke*, and uncompelled by any violence, but of Our love to Peace) Wee presented to Our Selfe the unhappy condition wherein the State of this Kingdome then stood, considered the nature of the pressures (then more freely represented unto Us) which in themselves were grievous to Our good Subjects, and in the consequences of them might appear more terrible; Weetooke a full and cleer prospect of the inconveniences and mischiefs which had grown by the long intermission of Parliaments, and by departing too much from the known Rule of the Law, to an Arbitrary power, & upon the whole resolved (without putting any glosse upon Our own former Commands, or endeavouring to make any excuse for the Actions of Our Ministers) that the measure of Our justice and favour by way of reparation, should far exceed the proportion of the sufferings, Our good Subjects had undergone by Us; which We were confident would beget so mutuall an affection and confidence between Us, that such a foundation of firm and stable happinesse would immediatly have been laid for the whole Kingdom, that all memory of former grievances would have been easily buried, and that this Parliament should receive a glorious celebration both by King and People to the end of the World. And therefore upon the first Convention on the third of *November*, We declared Our Resolution in that point, and then or soon after desired that whatever mistaking had growne in the government either of Church or State might be removed, and all things reduced to the order of the time (the memory whereof is justly precious to this Nation) of *Queene Elizabeth*; and for any expression of their affection to Us in supply of Our known necessities, Wee were so far from pressing, Wee resolved not to think of it till all Our good People should be abundantly satisfied in all necessary provision for their Liberty and Property, and what ever else might disturb them in their estates or consciences. How firmly We have kept Our Selfe to this Resolution is evident to all the World.

At the beginning of the Parliament We quickly discerned by some circumstances of their proceedings, that they meant not to confine or containe themselves within the paths of their Predecessours; which Wee imputed to the disorder, and impatience, the former sufferings of the Kingdome had begot in them, and therefore We resolved to take no exceptions to any particular, but to doe Our part in any point of Reformation, as soone and as often as any opportunity

tunity should be offered unto us, believing that as soon as they should find themselves restored to their old security, and the matter and substance of their doubts and fears to be removed, they would easily and willingly reduce themselves into their good old way, & apply themselves to the usual form of their Predecessors in the course of their proceedings. And though we well knew the Combination entred into by severall persons for an alteration in the Government of the Church, which could not but have an Influence upon the Civill Government of the State too, and observed that those men had greatest interest and power of perswading of both Houses, who had entred into such Combination, yet Our Resolution was so full for the publike satisfaction of Our people, that Wee believed, even those men would either have been converted in their Consciences, by the cleernesse and justnes of Our Actions, or would have appeared so unreasonable, or been discovered so seditious, that their malice and fury would not have beene able to have done mischief; and therefore Wee took no notice of the great labour and skill the prime Leaders amongst them had used to get men of their faction nominated and elected to serve as members of the house of Commons, and did use to remove others (whom they knew to be of different opinions) though they were fairly and legally elected; wherein there was no other measure or rule of Justice observed then singly with reference to the opinions or affections of the persons, witnesse (besides their putting out or keeping in Men upon unquestionable Elections, without the least colour or shadow of Justice) their Order, whereby they at one clap expelled a very great number of persons fairly elected by their Country, upon pretence that they had some hand, or their names used in some Project, Monopoly or Patent, without charging them with any crime, or to this day proceeding against them; and yet they continue amongst them Sir *Henry Mildmay*, Master *Lawrence Whaker*, and others, (whose affections and opinions they are well pleased with) though the first of them is notoriously knowne to be the chiefe Promoter of the businesse of the gold and silver thred (a Commission complained of, viewed, and examined, and therefore his name might have beene easily taken notice of) and the other as conversant, and as much employed as a Commissioner in matters of this nature as any man. We speak not this to excuse Monopolies (the inconveniences of which We are sensible of, and shall for the future prevent) but to shew the partiality of that Faction, and the use they make of them to their own advantage.

The first remedy (after the impeaching severall persons of high Treason, whom they looked upon as the chiefe causes of the publicke sufferings) they proposed, was a Bill for the Trienniall Parliament, to the which, though We might justly have paused upon severall expressions and clauses in

it, and might very well have insisted upon our old Priviledge and Custome not to passe any Bill till the end of the Session; yet since We really did believe most of the mischiefs then complained of, proceeded from the too long intermission of Parliaments, and were resolved for the future to communicate freely and frequently that way with Our Subjects, We passed over those exceptions, and consented to it, especially upon this confidence, That when such other Acts should be agreed upon for the ease and security of Our People, as wee desired and expected should be preferred to Us, this Act would be a sufficient earnest & assurance that all those Acts should be faithfully observed by Us, and so there should be no roome left for any fears and jealousies which might prevent that mutuall Confidence between Us and Our People we earnestly desired to raise: And for some time after the passing this Act, Wee found such an acknowledgement from both Houses of Our singular Grace and Favour in consenting to it, and so great expressions of their affections and purposes towards Us, that We believed the sense of it would never have been forgotten, and were as much pleased that Wee had taken that way of obliging Our People, as they were with the benefit it self.

But We were very well able to discover that whatsoever seemed to be asked of Us, or to be complained of to Us, there was still a Faction of a few ambitious, discontented, and seditious persons, who under pretence of being enemies to Arbitrary power, and of compassion towards those who out of tenderesse of Conscience could not submit to some things enjoyed or commended in the Government of the Church, had in truth a desire (and had entred into a Combination to that purpose) to alter the Government both of Church and State, which they were yet to disguise, till by their Art or Industry they had infected some with their opinions and by their cunning demeanour and managery of the publick Interests, they had seduced others to an implicate Confidence in their power, wisdom & integrity: And against this design We onely opposed a resolution to contribute all Our assistance for the peace, happines & security of Our People, and so to convince their Understandings (if their error proceeded from weaknesse that no alteration could produce that happinesse they imagined, and (if their natures were capable of such trusts) to take some of the chief of them so near Us, that they might be witnesses of Our Actions, and privy to Our counsels, that either Ingenuity or Gratitude might recover them from their desperate Inclinations: Hereupon, because most of the grievances of Our People were conceived to proceed from the great liberty of Our Councell Board, or from some orders and directions from them, We admitted to Our Privy Councell seven or eight of those Lords, who were eminently in esteeme with Our People, for their reputation of Honour and Justice, some of whom wee knew

to be most passionately dis-inclined to the present managery of Civill affaires, and to the Government of the Church, and hoped that by a free Communication of their Doubts, Opinions and Counsels, they would have received that satisfaction, that they would have been excellent Instruments of a blessed Reformation and Confirmation in Church and State.

Having begun with this foundation of confidence in Our Court, by electing such persons, Wee made the same haste to apply particular Remedies to the visible known diseases, resolving those Remedies should be proportioned to the counsell and desires of both Houses; which Wee thought the surest way to win at least a major part to the confession and acknowledgment of Our Justice and Affection.

The Star-chamber had in the excesse of jurisdiction or tediousnesse and charge of proceedings, or measure and severity of punishment invaded the Laws of the Land, and Liberty of the Subject, by the exercise of an Arbitrary power; We pressed not the Reformation of this Court, though erected or settled by Act of Parliament in a wise time, but at the instance of both Houses consented to the abolition of it.

The High Commission Court had proceeded with too much strictnesse in many cases, where the tender consciences of many of Our weak Subjects were concerned, and had so far out-grown the power of the Law, that it would not be limited and guided by it, but censured, fined and imprisoned Our People for matters unpunishable by the Law; Wee pressed not the review of that Statute by which that Court was erected, that such power might be qualified, and provisions altered, as had been grievous to the Subject, nor desired that any other care might be taken for the upholding the Ecclesiasticall Discipline, then what the wisdom and piety of both Houses should think necessary; but, in compliance to the sufferings of Our People, and the desires of both Houses, consented to the Repeal of that branch of that Statute.

The Writs for Ship-money, whereby severall sums of money had been received from Our good Subjects, for defence and safeguard of the Kingdome, had laine heavy upon Our People, yet were judged to be Legall: Both Our Houses of Parliament declared that the grounds and Reasons of that Judgment (being that when the good and safety of the Kingdome in generall is concerned, and that the whole Kingdome is in danger, We might compell Our Subjects to provide Ships, Men and Viduals, for the defence and safeguard of the Kingdome, and that We were the sole Judge of that danger, and how the same might be prevented) were contrary to, and against the Laws and Statutes of this Realme, the property and liberty of the Subject, and to the Petition of Right; without disputing Our Right, We were contented that all the proceed-
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ings in that businesse should be adjudged void, and disanulled, and the Judgements, Enrolments, and Entries thereupon should be vacated and cancelled in such manner as was desired.

Under colour of executing the Forrest Laws, and of keeping the Justice in Eyres seat, very many persons had been grieved and vexed, by Presentments, Fines, Judgments and Imprisonments, the meets, limits and bounds of Forrests extended, and some endeavours been made to set on foot Forrests, where in truth none had been: We no sooner received complaint of this, but We passed an Act for the certainty of the meets, limits and bounds of all the Forrests in *England*, with such further provisions for the ease of Our Subjects as were desired at Our hands.

If by the negligence or wilfulnesse of persons trusted by Us, any grievance or inconvenience had been contracted in any part of Our Kingdome (which seemed not to have so generall an influence upon the whole) upon the first cleer information We did Our part for the easing of them, and therefore wee passed, for the benefit of Our good Subjects of *Devon* and *Cornwall*, an Act against divers Incroachments and Oppressions in the Stannary Courts.

And We were so confident this way to win the hearts and affections of all Our good Subjects, and that both Our Houses of Parliament would at last finde a time to give too, that Wee made their Asking the onely Rule to Our Grants, and parted with any thing they desired Us to relinquish: So in the Preamble to the Bill of Tunnage and Poundage, We parted with Our title of imposing, a Power adjudged good, and exercised by Our Ancestors, and though disputed, never relolved against by Judgement in Parliament; So in the Act for regulating the Office of Clerk of the Market, because the undue execution thereof had been grievous to many of Our loving Subjects, We consented that no Clerk of the Market of Our House shall hereafter execute his Office in any part of Our Kingdome but onely within the verge of Our Court, and granted the execution of that Office to the Majors and Bayliffs of Towns Corporate, and to the Lords of Liberties and Franchises, and to their Deputies; So, because about the beginning of Our Reigne severall Writs had issued out of Our Court of Chancery in the businesse of Knighthood, and been transmitted with their Returns into Our Court of Exchequer, where the proceedings were not fit and warrantable, Wee were contented by the Act for the prevention of vexatious proceedings touching the Order of Knighthood, absolutely to part with, & discharge a right & duty, as unquestionably due to Us by the Law, as any service We can challenge; So, (which is the highest instance of trust that ever King gave his Subjects) upon Information that credit could not be obtained for so much money as was requisite for the Reliefe of Our Army, and People in the Northern parts, for preventing the imminent danger of the King-

dome was in, and for supply of Our present and urgent occasions, for feare the Parliament might be dissolved before Justice should bee done upon Delinquents, publick grievances be redressed, a firme peace between the two Nations of *England* and *Scotland* concluded, and before provision should be made for the repayment of such moneys as should be so raised (though Wee knew what power We parted from, and trusted Our Houses with by so doing, and what might be the Consequence of such a trust, if unfaithfully managed) We neglected all such suspicions, which all men now see deserved not to be slighted, and We willingly and immediately passed that Act for the Continuance of this parliament, being resolved that it should not be Our fault if all these particulars were not speedily provided for, which seemed then to bee the grounds of their desire.

Let all the World now judge, what greater obligations of justice, favour, affection and trust can a Prince lay upon his Subjects then We did upon both Our Houses of Parliament by these Acts ; and whether We did not in Our free Grace and Favour grant much more then had been asked of Vs by that Petition presented to Vs by some Lords at *Torke*, in which was then thought to be contracted all that was grievous to Our people, and all that was just and gracious for Vs to doe for them.

And in all the time in which these Acts were framing and passing, though Our own personall wants were notoriously known, and unkindly unprovided for, and themselves had asked leave to look into and settle Our Revenue, which We consented to, and therefore We might have expected some fruit of that pretended Care, We never pressed them, or made the least overture to them for Our own supply, onely desiring them (and 'twas almost the onely thing We did desire of them) that they would use all possible expedition in the businesse of the Treaty, that the two Armies might be speedily disbanded, and Our Subjects eased of that heavey burthen which in time would grow insupportable, and waste the whole Stock of the Kingdome ; But We found the Faction We feared in the beginning, grew still stronger, and nothing converted or reconciled by all those Acts of Ours, which would have made any Nation happy : that whilst We were busie in providing for the publick, they were contriving particular advantages of Offices and places for themselves ; made use underhand of the former grievances of the Subject in things concerning Religion and Law, to change the Religion and Law of this Kingdome, labouring that neither any thing the Subject had suffered from the Crown might be forgotten, nor any satisfaction from the Crown to the Subject might be remembered : And therefore in stead of acknowledging Our great Justice, and singular favour in passing those Acts, they infused into Our people that Wee passed them unwillingly, (whereas We never made the least pause upon any of them

but one, that for the High Commission Court, and whether that was penned with that warinesse and animadversion, that there be not more determined by it, then the major part of both Houses intended at the passing of it, let themselves judge) and that We meant not to observe them; and grew so much confounded with the full measure of Our favour, that they would allow themselves no security of enjoying what We had freely given, but by taking away any power from Vs of giving more; They must have a through alteration both in Church and State, or else they should never enjoy the benefit of Reformation We had willingly made. Hereupon they oppose the disbanding of the Armies, and give all delayes to the *Scotts Treaty*, though the Commissioners for that Nation very earnestly pressed the hastening of it, and in plain English declare, *That they cannot yet spare them, that the sonnes of Zerviah were too strong for them*; And finding more haste to be made in the asserting the *Strode* Civill Interests then they desired, having a designe to engage this Kingdome into so vast a debt, that there might be no way of paying it, but by the Lands of the Church; and lest Our good Subjects might be too soon satisfied, they hasten on to their designe upon the Church, which they at first disguised with a purpose onely of removing the Bishops from their Votes in the Lords House.

This Bill passed the House of Commons; in the House of Peers it endured severall long, free debates, and in the end upon great and solemne deliberation was by the consent of very much the major part of that House, absolutely rejected. This was no sooner done, but that Faction (glad of the miscarriage of their former Bill) the passing whereof they knew would have satisfied many of those, whom they hoped now further to seduce, produced a Bill to be tendered in the House of Commons for the abolition of Bishops out of the Church of *England*, root and branch (according to their first Resolution, as *M. Pym* told a Member of the Lords House by way of reproofe, *That it was not enough to be against the Persons of the Bishops, if bee were not against the Function*) and for extirpation of all Deans and Chapters, and reducing that admirable frame of government, and support of learning into a Chaos of Confusion, that out of it they might mould an *Utopia*, no six of them had, nor We beleave yet hath agreed upon further then to destroy the present, and out of the goodly Revenue which the pious bountie and devotion of former Ages had been so long in raising for the encouragement and advancement of Learning and Religion, and which God hath blessed with so many eminent men, whose learning and lives have advanced the Doctrine of the Protestant Religion, and many of them given their bodies to the fire, as a sacrifice to that Truth and Religion, to erect Stipends to their owne Clergie, and to raise estates to repaire their owne broken fortunes. And for the fier passing of this Bill (which to this houre they could never tell what to make of) two Armies must be kept in the bowels of the

the Kingdome at fourescore thousand pounds a moneth charge to the Commonwealth: for about this Bill the House of Commons was so wholly taken up; that in ten weeks none or very little other businesse could be thought of.

About this time or little before, after severall intimations of Treasons, Plots, and Conspiracies by the Papists, of great provisions of Armes by them, and training them under ground, and many other false reports, created, spread, and countenanced by themselves, upon some generall apprehensions of designs against them, a Protestation is made in the House of Commons for some union and consent amongst themselves to performe those duties, which (if they had meant no more then they expressed) had been sufficiently provided for by the Oaths they had already taken, and which their former duties obliged them to. Hereupon a Protestation is framed, and being put into such words, as no honest man could beleieve himselfe obliged by it to any unlawfull Action, was voluntarily taken by all the Members of the House of Commons, and presently recommended to the House of Lords, where it received the same Countenance, that is, was looked upon as containing nothing in it selfe unlawfull, though some Members of that House refused to take it, being voluntary and not imposed by any lawfull Authoritie; then 'tis recommended to the City of London, and over all the Kingdome, by Order from the House of Commons (a strange, and unheard of usurpation) to be taken by all Persons: But within very few dayes upon conference amongst themselves; and with those Clergie men who daily sollicite their unlawfull and unwarrantable designs with the people, they find they were by this Protestation so far from having drawne people into their Combination, that in truth all men conceived that they were even engaged by it against their maine designe, by promising to defend the true-reformed Protestant Religion, expressed in the Doctrine of the Church of England, &c. And thereupon some persons of that Faction prevailed that after the Members of the Houses had taken it, a Declaration was set forth by the House of Commons, that by those words, *The doctrine of the Church of England*, was intended onely so farre as it was opposite to Popery and Popish Innovations, and that the words were not to be extended to the maintenance of the Discipline and Government, &c. And so under this explication and Declaration published onely by the House of Commons, and never assented to by the House of Peers, this Protestation was directed to be generally taken throughout England; and to that purpose a Bill is drawn, passed the House of Commons, and sent up to the Lords, who at the second reading, finding many particulars in it unfit to be so severely imposed upon the Subjects; absolutely rejected.

Upon this ensued a new and unheard of distemper in the House of Commons, as if it had been great presumption in the House of Peers to refuse any Bill

Bill sent from them, and thereupon a Vote passed in the House of Commons, *That that House did conceive that the Protestation made by them, is fit to be taken by every person that is well affected in Religion, and to the good of the Commonwealth, and therefore doth Declare that what person soever shall not take the Protestation is unfit to beare Office in the Church or Commonwealth, and ordered that the Knights, Citizens, and Burgeses should send downe to the severall places for which they serve, Copies of that Vote of the House concerning the Protestation, and that those Votes should be printed.*

Let all men judge, whether before that time from the beginning of Parliaments the House of Commons had ever presumed to trench so farre upon Our priviledge, to make a Declaration so like Law without Vs; or upon the priviledge of the Lords, to make and publish such a Declaration after they had rejected the bill, and some of them refused to take the Protestation; or upon the Libertie of the Subject, so farre to impose any such thing upon them, without consent of Parliament. Yet of this We took no notice, but pressed still the disbanding of the Armies, and interposed and quickened them in nothing else; which was againe with all earnestnesse desired by the Scots at *Newcastle*, and pressed by their Commissioners at *London*.

But a new fright was now found to startle the people, and to bring Vs into hatred or jealousie with them: The generall rumours of Treasons and Conspiracies began to lose credit with all men, who began to consider what they felt more then what others feared; and therefore they had now found out a Treason, indeed, even ready to be put in execution upon the whole Kingdom. the representative body thereof, a Plot to bring up the whole armie out of the Northerne parts to *London*. A strange Plot indeed, which considering the constitution of that time, no man can beleieve Vs guilty of, and though they made great use of it to the filling the minds of Our people with fears and apprehensions, they seemed not then to charge Vs with any knowledge of, or privitie to it; what they have done since, all the world knows, notwithstanding Our many Protestations in that point. And we cannot but say, that by those Examinations of Colonell *Goring*, Sir *Jacob Ashley*, and Sir *John Conyers*, and M. *Percies* letter, which is all the Evidence We have seen, and by which they seem principally to bee guided, We cannot satisfie our own private conscience, that there was ever a Resolution of bringing up the Army to *London*, and upon the strictest examination We can make of that businesse, We can find it to be no other then this.

Observation being made of the great Tumults about *Westminster*, which seemed to threaten the safety of the Members of both Houses, at least of those who were known not to agree with the designs of that Faction, Wee have before spoken of, and the manner of delivering Petitions by multitudes of people attended (or pretended to be so) by the hands of many thousands against the known

Laws and established Government of the Kingdome, which yet seemed to receive some countenance, and to carry some authoritie, as instances of the affections of so many persons; it fell into the thoughts of some Officers of the Army of known and publick affections to their Countrey, that a Petition of a modest and a dutifull nature from the whole Army for the composing and settling all grievances in the Church and State by Law, might for the reason of it prevaile with the whole House, and coming from such a Body might confirm those, who might be shaken with any fears of power or force by the Tumults: And with this Proposition We being made acquainted, gave Our full approbation to it, taking great care that no circumstances in the framing it, or delivering it, might be any blemish to the matter of it.

This We call God to witness, as We have done before, was all Wee gave Our consent unto, or which We beleve was ever intended to be put in practice (what attempts other men made to seduce the affections of the Army from Us, is known to many.) If in the managery of this debate any rash discourses happened of bringing up the Army, it is evident whether they were proposed in earnest or no; they were never entertained, and the whole matter laid aside above two moneths before any discovery, so that that danger was never prevented by the power and wisdom of Parliament: And for the Petition it selfe which hath bin so often pressed against Us, as a speciall Argument of Our Privitie to the bringing up the Army, after we have so fully and particularly answered every particular circumstance of that Petition signed with *C.R.* Wee have herewith published a true Copie of that Petition, that all Our good subjects may see how justly We have been traduced, and judge when Petitions of all natures were so frequently and so willingly received, whether such a Petition might not with modesty and duty enough have bin presented unto them: And if in truth that desire of bringing up the Army had bin then believed, when it was first pretended to be discovered, which was about the middle of *May*, they would surely have thought it necessary to have disbanded that Army sooner then *August*, which no pressing of Ours, nor of Our *Scots* subjects could perswade them to do. And We are sure Our Innocence in this matter would soone have appeared, if the large time to bring this businesse to a Judicall tryall had bin made use of; if contrary to all custome, it had not bin thought fit to publish depositions before the parties concerned had been heard to make their defence, or witnesses cross-examined, though they attended above twelve moneths to do it; and if some men had not beleaved that their generall and violent expressions, affirming this to be a Plot equall to that of the Gunpowder treason, would sooner be beleaved, if it were not publickly discussed, but left to every mans fancie to heighten according to his own inclinations; and had not feared that if the whole examinations taken (and not such onely as they pleased to select) had come to light, it would have

have appeared by the examination of *M. Goring*, (purposely suppress) with what intention of that mention of bringing up the Army was made, with what earnestness it was opposed, and with what suddenness it was deserted; and many extenuations of, and many other contradictions to what is now published, would have appeared, and this impossible stratageme, with which they have so much disturbed Our Subjects, and reproached Vs, could never have been made so much use of.

After all this readinesse in Vs to doe whatsoever they desired of Us, and patience in suffering them to do whatever they pleased to Us, We gave them warning that if there were any more good Bills, which they desired might passe for the benefit of Our Subjects, We wished they might be made ready against such a time, when We resolved according to Our promise to our *Scots* Subjects (with which they were well acquainted) to repaire into Our Kingdom of *Scotland*, to settle the unhappy differences there. Upon this We were earnestly desired by both our Houses of Parliament to defer Our journey thither, as well upon pretence of the danger, if both Armies were not first disbanded, as that they had many good Laws in readinesse for the settling of differences here. We were by their intreaty perswaded to defer Our journey to a day agreed on by themselves, assuring Our Self that they would think themselves obliged against that time not onely to disband Our Armies, but so to prepare and digest the business of Parliament, that We might have made a Session before Our going: But that Malignant Faction was so prevalent, that the debate of the Bishops Bill took up most of their time, so that neither any care was taken for the disbanding the Army, nor any thing done that had any reference to the publick benefit; and when the time of Our stay was expired, and even the day come themselves had appointed, a new addressse was made to Vs for a longer stay of 14 daies because the Treaty was not concluded, nor the Armies disbanded, which was the maine ground of deferring it before. This sure (which was the first We denied them) We could not grant, there being that necessity with reference to Our promise, and to the expectation of Our Subjects of *Scotland*, that it was not in Our power to satisfie them, as We informed both Houses Our Selfe at a conference, and according to that necessity We undertook that journey, not doubting but that when We should have dispatched the affairs of that Kingdome, which We hoped speedily to do, and both Our Houses of Parliament should have refreshed themselves in the Visitation of those, for whom they had so well provided by Our favour, We should meet again with mutuall confidence one in another, and that it would be Our turn then to receive such testimonies of that confidence and affection We had deserved. But the mischievous and indefatigable Industry of that Malignant party, which had before Our going interrupted that correspondence, which We deserved from Our People, had with no lesse malice

provided for our reception at Our return. In stead of reducing business to that head, that the distractions of the Kingdom might be composed by the due observation & execution of the laws, We found things far more out of order then we left them, & Our good subjects more puzzled to know their duties: Orders had bin made in the house of Commons, and published in derogation of the book of Common Prayer, and for suspension of those Laws in force which concerned the government of the Church; and though another Order of the Lords was likewise published according to Law, for the due observation of the Laws established, and for suppressing those disorders, which were every day breaking out by faction of mean loose persons, against the divine Service appointed by Law, the house of Commons took upon them publickly to declare against that Order, because it was only made with the consent of 11 Lords, & that nine other Lords did then dissent from it, whereas in truth the said Order was made in a full House in January before, and onely ordered then by that difference of number to be printed, after the house of Commons had made (in a very thin House, and after it had bin rejected by Vote) that illegall Order, for such alteration in the Church; and if in truth it had bin then made, and but by the ods of two voices, being in pursuance of the Law, all men will thinke it of much more validitie then any Order of the house of Commons against the Law, which in truth hath no Authoritie to make any Orders in business of that nature; and therefore the publishing that Order and Declaration of the ninth of September, must be confessed by all men, to be such a breach & violation of the Priviledge of the Peers House (besides the affront offered to Us, and injury to Our good Subjects, and to the Law by it) that before this Parliament was never heard of, and was an apparent evidence that they meant the whole managery of the Kingdome, and the Legislative power should be undertaken by the house of Commons, without the consent either of Us, or Our Nobilitie; yet the execution of this Order was with great diligence and animosities pressed upon Our good subjects, and many troubled & imprisoned for not submitting therunto. When they had made this breach upon the Ecclesiasticall State, they took care (under pretence of encouragement of Preaching) to erect Lectures in several Parishes, and to commend such Lecturers as best suited with their designs, men of no learning, no conscience, but furious promoters of the most dangerous Innovations which were ever induced into any State, many of them having taken no Orders, yet recommended by Members of either house to Parishes, as to *Lewsham* in *Kent*, & many other places; and when Mechanick persons have bin brought before them for preaching in Churches, and confessed the same, the power of these grand Reformers hath bin so great, that they have been dismissed without punishment, hardly with reprehension. All persons of learning & eminency in Preaching of sober & vertuous confessions & great Examples in their lives, even such as amongst these men had bin of greatest estimation and

suffered somewhat for them, were discountenanced, and such men principally cherished who boldly and seditiously preached against the Government of the Church, against the Book of Common Prayer, against Our Kingly Lawfull Power, and against Our Person, many of which were commended to (if not imposed upon) Parishes, first by special Letters, and earnest solicitations from the prime Leaders of this turbulent Faction, after by Orders, requiring such Ministers as would not accept their recommendation to attend and shew cause; All Licence was given to those lewd, seditious Pamphlets, which despised the Government both of Church and State, which laid any imputations or scornes upon Our Person, or Office, and which filled the eares of all Our good Subjects with Lyes, and monstrous Discourses, to make them believe all the ill of the Government, and Governours of Church and State; Books against the Book of Common Prayer, and the established Laws of the Land suffered without reprehension to be dedicated to both Houses of Parliament; whatsoever the rancour and venome of any infamous person could digest, published without controul, and nothing discountenanced and reproached but a dutifull regard of Us, and Our Honour, and a sober esteeme and application to the Laws of the Kingdom.

This was the condition wee found at our returne from *Scotland*, besides a strange groundlesse apprehension of danger infused generally into the minds of Our good Subjects, as if some notable Designe were in hand against the Parliament, against the City of *London*, against the whole Kingdome of *England*. Then fell out an accident, whilest wee were in *Scotland*, concerning the Marquesses of *Hamilton* and *Argyle*: These two Lords, upon some information given to them, that their persons were in danger, upon a sudden withdrew themselves from the Parliament in *Scotland*, and for some few days removed out of *Edenburgh*. Whatever they had been informed, and whatever they suspected, and the grounds of both were very fully examined by the Parliament there, their persons being of that quality and estimation in that Kingdome, that they were sure of Justice: upon the whole, themselves and the Parliament were satisfied that the Information first given to them could not be made good to the proof of any designe to the danger of those Lords, and the examinations of the whole matter sent by Our direction to Our Parliament here. How (if all had been true that was imagined) this businesse could so highly and nearly concern the Peace of this Kingdome, and the present safety of both Our Houses of Parliament. We cannot imagine; yet upon the first report of it here, (which was the day before the first meeting after the recess) without staying to heare the opinion of Our Parliament there, who used all diligence in the examination, or of Our Parliament here, such strange glosses and interpretations were made upon that accident (not without reflection upon Us, and Our Honour)

nour) as if at the same time there had been such a designe to have been executed here, as they had fancied to themselves that to be, and a sudden resolution was taken, first by the Committee during the recess, after by the Houses to have a Guard for the defence of *London, Westminster*, and both Our Houses of Parliament, which must needs make a great impression in the minds of Our good Subjects, in a time when they were newly freed from the fears of two Armies, to be awaked with the apprehension of dangers, of which seeing no ground, they were to expect no end.

Matters being thus stated, & all possible skill being used by that Faction, and their Emissaries of the Clergy (who at the same time such clamour was raised of the unlawfulness that the Clergy should meddle in temporall Affairs, were their chief Agents to derive their seditious directions to the People, and were all the week attending the doores of both Houses to be employed in their errands) to infuse the most desperate fears into the minds of all men that could be imagined, to be sure that the memory of former bitterness might not depart, they provide for Our entertainment against we should come to *London*, to present Us with a *Remonstrance* (as they called it) of the *State of the Kingdome*; laying before Us, and publishing to all the World, all the mistakes, and all the misfortunes which had hapned from Our first coming to the Crowne, and before to that hour, forgetting the blessed condition (notwithstanding the unhappy mixture) all Our Subjects had enjoyed in the benefit of Peace and Plenty under Us, to the envy of Christendome; objecting to us the Actions of some, and the thoughts of others, and reproching Vs with matters which indeed never entred into Our thoughts, nor to Our knowledge into the thoughts of any other; reviling Vs to the People, and complaining to Vs of the House of Peers, (whose authority, interest and privilege, was then as much slighted and despised, as Ours is since) and easily passing over those singular Acts of Our Grace passed by Vs this Parliament, or ascribing them to their owne wisdom in the procurement, they concluded against a Malignant party, and that they had no hope of settling the distractions of the Kingdome, for want of concurrence with the House of Peers; and that concurrence was desperate by reason of the prevalency of the Bishops, and of the Recusant Lords, into which number all those Lords were cast who presumed to dissent from any propositions made by the House of Commons. When this engine was prepared for the people by the prime Leaders of that desperate Faction, it was presented to the House of Commons, and the greatest industry and skill used that is imaginable, by private solicitations, threats, and promises to procure consent that it might be passed by that House, and after a long debate (longer then ever was knowne in Parliament, till three of the clock in the morning from ten the day before, when very many through weariness and weakness were forced to leave the House, so that it

looked

looked (as was well said) like the verdict of a starved Jury) they carried it by eleven voices, and shortly, within very few dayes after Our return (when We had been received with all possible expressions of joy by Our City of London, which was publickly murmured against, and the chiefe advancers of that duty and affection discountenanced, (as if they envied Vs the Loyalty of Our people) and when it was publickly said in the House of Commons upon some dispute of a pretended breach of the Orders of the House, *That their discipline ought to be severe, for the enemy was in view*, that Remonstrance was presented to Us at Our Court at Hampton Court by some Members of the House of Commons, with a Petition (contracting the sharp language in the Remonstrance into lesse room) amongst other things, That wee would concurre with Our people for depriving the Bishops of their Votes in the Parliament (for which there was then no Bill passed both Houses) and to imploy such persons about Us as Our Parliament might confide in. We received this strange Petition and stranger Remonstrance graciously from the hands of the Presenters, promised them an Answer, and in the mean time desired that the Remonstrance might not be published to the people, the thing it selfe and the printing any thing of the like nature being never heard of by the direction of the House of Commons till this Parliament, it being the first appeal to the people, and of a dangerous consequence to Parliaments themselves : But (as in other things neither Our desires or Commands have been considered) without giving Us leisure to answer either the one or the other, speciall direction is given for the printing that Remonstrance, and equall care taken for the publishing it in all places and parts of the Kingdom.

Having taken this care for the shaking and perplexing the minds of all men, the next work was to get such a power into their hands as might governe and dispose of those affections. To this purpose they had from the beginning of the Parliament (by reason of some complaints against the immoderate exercise of the Authority of the Lieutenants and their Deputies, in raising Coat and Condukt money and some excesses in them) severall debates in the diminution of the Office it self, but still grounded upon the illegall pressures used by them, and upon some words in the Commission it selfe, which (though of long usage in very happy days) were conceived not agreeable to the Law; but they were so far from supposing the Office it self or the Commission to be illegall; that both Houses of Parliament had recommended two Lords to Us, and desired Our Commission to make them Lords Lieutenants of *Yorkeshire* and *Dorsetshire*, the onely end seeming then to be that good and approved men should be in these employments and trusts: But at last they resolved against the Office it self, and would think of some other way to provide for the safety of the Kingdome in that point. And in this they had a double end: First, to fright all persons

(Members of both Houses who had bin Lieutenants, and Deputy Lieutenants) to comply with them in their Votes, lest they should be called in question for the execution of those Offices (a stratagem they had found to engage many persons to their opinions, as Sheriffs for the collecting Ship-money, and all other persons, who in truth were or might be made obnoxious to their power) then, that by unsettling that whole businesse of the *Militia* throughout the Kingdom, they might the more easily bring in their owne power of governing it as they have since endeavoured to do; and thereupon they presumed to bring in such a Bill into the House of Commons to place a Generall at Land, and an Admirall at Sea by Act of Parliament; with such Power and Authority over the lives and fortunes of all Our Subjects as should be lyable to no controul, nor to be questioned by any super-intendent hand, with a pre-pardon for whatsoever they should doe under colour of those Offices; either of which Officers should have bin a much greater man then Our Self, and commanded in Our Kingdom above Us. The matter of which Bill, to shew their designe, is since digested into their new Generals Commission, and the pretended Ordinance to the Earl of *Warwick*. And all this was then pretended to be a matter of absolute necessity for the preservation of Us and Our Kingdome; but at that time it could procure no other credit then to be suffered to rest in the House, as an evidence of the liberty might be used in the preferring of Bills. They had by this time, taken all the licence at their private Cabals to undervalue and vilifie Our person and power, and in publick to give way and countenance to any scandals upon Us: Letters from the Major of *Plimouth*, that the Rebels in *Ireland* call themselves the Queens Army, and pretend the Kings Authority for what they do; and store of such discourses upon such evidence is every week printed in the Journals of the House, which without doubt must be of great Authority with Our people, who must conceive such Informations to be not onely fully and cleerly proved, but to be accepted and published upon very weighty Reasons, above the consideration of Our Honour and Safety.

And now they were to examine what notable credit their Remonstrance, and their other generall Infusions had got with the people, and how ready they would be upon occasions to venture themselves at their direction: They had made themselves so terrible in the House of Commons, that by their threats, and their promises of places and preferments to severall men, and by the absence of many, they had gotten the major part, but in the House of Lords their power was not the same; that must be wrought another way; yet there they had used all meanes to prevaile upon the hopes and feares of such who they thought might that way be dealt with; witnesse among many other things of the same nature, that insolent speech of *M. Pim* to the Earl of *Dover*, *That if he looked for any preferment, he must comply with them in their ways, and not hope to have it by serving us.*

Shortly after their coming together upon the recess; a new Bill was preferred in the House of Commons, for the taking away the Votes of Bishops out of the House of Peers, which being once rejected before, ought not by the course and Order of Parliament to have bin admitted againe the same Session: but that was easily over-ruled, and in the House of Commons it did passe; many good men the more willingly concurring therein, upon hope that that Bill being once consented to, the fury of that Faction which with so great violence pursued an absolute destruction of the Ecclesiasticall Government, would be abated, or that the rage being discerned, they would lose that strength which supported them. But the Lords quickly found that the Ring-leaders of that Faction had not ingenuity enough to be compounded with, and therefore with them it was not like to finde so easie a passage. Now their resort was to the people, whom upon severall occasions they had trained down to *Westminster* in great multitudes with swords and clubs, and had often sent for them when any debate was like to be carried against them in either House, the particulars whereof We are ready to prove.

Every man will conceive, We were in a great strait to find Our Self so much disappointed of that return, the conscioufnesse of Our own merit, and the many glorious professions made by both Houses, bid Vs to expect: We saw the Laws absolutely trampled under feet, and a designe laid to ruine the Government of the Kingdom, and to destroy Vs and Our Posterity: Wee saw this designe carried by a few men, whose hatred and malice to Our person We found implacable, and their contempt of Vs and Our Authority so visible and notorious, that they forbore not to expresse it in their mention of Us in all Companies: Wee saw their Power and Interest to be so great, that they were able to mis-lead very many honest men, and to countenance their Actions made under the name of both Houses of Parliament: Wee were resolved that nothing they should doe within those wals should provoke Us, till time and the experience good men should have of them should discover their purposes; therefore Wee applied Our Self onely to the Law, hoping that the insolence and licentiousnesse of the people might by Our help be curbed by that Rule. The Tumults grew so notorious and so dangerous, that they threatned and assaulted the Members of both Houses, whereupon the House of Peeres (which it seemes the Lords present at the passing of one of their late Declarations, wherein they deny there having been any Tumults, had forgot) at a conference with the House of Commons twice very earnestly desired that they would for the dignity of Parliaments joyn with them in a Declaration for the suppressing such Tumults; but the prevalency of that Faction was so great, that though complaint was made by Members in the House of Commons, that they had bin assaulted and evil treated by those people even at the doore of their House, instead of joyning

with the Lords for the suppressing or punishing them, severall speeches were made in justification of them, and commending their Affections, saying, *They must not discourage their friends, this being a time they must make use of all their friends: and M. Pim saying, God forbid, that the House of Commons should proceed in any way to dishearten people to obtain their just desires in such a way:* which he had good reason to say, himself and those other persons whom we afterwards accused of high Treason, having by great solicitation & encouragement caused those multitudes to come downe in that manner. The Lords having in vaine tried this way, appoint (upon the advice of the Judges) that a Writ be directed to the Sheriff and Justices upon divers Statutes (which issued accordingly) to suppress and hinder all tumultuous resort; in obedience to which the Justices and other Ministers, appoint the Constables to attend about *Westminster* to hinder that unlawfull conflux of people. This was no sooner done, but the Constables and Justices of the Peace were sent for by the House of Commons, the setting such a watch voted to be a Breach of Priviledge, and before any conference with the Lords, by whose direction that Legall Writ issued out, the Watch discharged, and one of the Justices, for doing his dutie according to that Writ, sent to the Tower.

About the same time there was a tumultuous Assembly of Brownists, Anabaptists, and other Sectaries called together by the sound of a Bell into a place in *Southwark*, where the Arms and Magazine for that Borough were kept, the Constable knowing such meetings to be unlawfull, and the consequences of them (especially in such places) to be very dangerous, came amongst them, hee was no sooner come, but he was reproached with words, beaten, and dragged in a very barbarous manner, insomuch as hee had hardly escaped from them with his life: complaint was made by him to the next Justices, and oath made of the truth of that complaint, whereupon a Writ was sent to the Sheriff to impanell a Jury according to the Law for the examination, and finding of this Riot. This was complained of too; and the meeting (in how tumultuous and disorderly a manner soever) pretended to be onely for the drawing of a Petition against Bishops, and that the Constable was a friend to Bishops, and came to crosse them, and to hinder men from subscribing that Petition. Hereupon an Order was made in the House of Commons, and the Under-Sheriff of *Surrey* by it enjoyned, that he should not suffer any proceedings to be made upon any inquisition that might concern any persons who met together to subscribe a Petition to be preferred to that House. What authority the House of Commons had or have to send any such Injunctions, We cannot conceive; yet by this any disorderly persons (let their intentions and demeanours be never so seditious) are above the reach of the Law and Justice, if they please to say they meet to prepare any Petition to the House of Commons. And 'tis no wonder, if after

all this care taken to remove all those obstacles the Law had put in the way to such Tumults, all people tooke upon them to visit Our Parliament in such manner as they thought fit, and thereupon great multitudes of mutinous people every day resorted to *Westminster*, threatened to pull down the lodgings where divers of the Bishops lay, assaulted some in their Coaches, chased others with Boats by water laid violent hands on the Archbish. of *Tork* in his passing to the House, &c had he not bin rescued by force, it is probable they had murdered him; crying through the streets, *Westminster Hall*, and between the two Houses, *No Bishops, no Bishops, no Popish Lords*; and mis-used the severall Members of either House, who, they were informed, favoured not their desperate and seditious ends, proclaiming the names of severall of the Peers, as *evill and rotten-hearted Lords*; attempting the defacing the Abbey at *Westminster* with great violence, and in their returne from thence made a stand before Our Gate at *Whitehall*, said, *they would have no more Porters Lodge, but would speake with the King when they pleased*, and used such desperate rebellious discourse, that Wee had great reason to believe Our own Person, Our Royall Consort, and Our Children to be in evident danger of violence; and therefore were compelled at Our great Charge to entertain a Guard for securing Us from that danger: and yet all this danger is so slighted, that Wee are told in the last Declaration, after Wee have so often urged it, *That it is a suggestion as false as the Father of lies can invent.*

These licentious and unpunished Tumults gave occasion to the Bishops (who could not repair to the House without danger of their lives) to make that their Protestation, for the which they were forth-with accused of high Treason by the House of Commons, and committed to the Tower by the House of Peers, where they continued for the space of foure Moneths at the least. That small Guard we had taken for Our necessary safety, and the resort of some Officers (who attended both Our Houses of Parliament for money due to them by Act of Parliament, and upon the publick faith) to Our Court for Our defence against those Tumults, was objected against Vs, and divers counterfeit Letters were written, and senselesse fears infused into the Citizens of *London*, that We had a Designe of Actuall violence upon that City, and thereupon they were drawn into Arms, and put upon their Guard against Vs; so that there was not onely no provision made for the suppressing of Tumults, but that provision the Law had made against them discountenanced and taken away, and Wee Our Self censured for taking so much strength about Vs, as might for some time oppose such force as was like to be offered to Our owne Gates. What should Wee doe? Wee very well knew the Contrivers of all these Mischiefs, who had by their exceeding Industry and Malice wrought this distraction throughout the Kingdome, such a defection of Allegiance

in the Common people, such a dump of Trade in the City, and so horrid a confusion in the Church, and all this to satisfie their own private ends, and Ambition; for themselves know what overtures have bin made by them, and with what importunity, for Offices and Preferments, what great services should have bin done for Us, and what other undertakings were (even to have saved the life of the Earle of *Strafford*) if We would confer such Offices upon them. We were sure We could make such particular proofs against them of a solempne Combination entred into by them for altering the Government of the Church and State; of their designing Offices to themselves and other men; of their soliciting and drawing down the Tumults to *Westminster*; and of their bidding the people in the height of their rage and fury to go to *Whitehall*; of their scornfull and odious mention of Our Person, and their Designe of getting Our Son the Prince into their hands; of their treating with foreigne Power to assist them; if they should fail in their enterprizes: Yet Wee saw too that their Interest and Reputation was so great with many of both Houses of Parliament, their Power so absolute with a multitude of Brownists, Anabaptists, and other Sectaries about *London*, who were ready to appeare in a body at their Command, that it would be a hard matter to proceed against them.

In this strait We resolved to do Our part in both, to give Our People a cleer satisfaction of Our upright intentions to the publick, whereby they should find their happinesse did not at all depend on such Instruments; and to proceed against the Persons of the other in a Legall way, that all the World might see what Ambition, Malice, and Sedition had been hid under the vizard of Conscience and Religion. Hereupon We prepared an Answer to the Remonstrance the House of Commons had before published to the People of the State of the Kingdome, wherein without taking notice of the uncomely Language in, and the Circumstances of that Remonstrance, Wee declared with as gracious and full expressions as Wee could make, Our earnest Resolutions for the mayntenance of the true Protestant Religion, the Liberty and Property of the Subject, and the Law of the Land, and made no lesse gracious offers to consent to any Act that should be offered for the ease of tender consciences in matters indifferent, and very earnestly desired that the same might be provided, and whatever else should be thought necessary for the Peace and Security of Our People, and then that We might likewise manifest the Actions of that Malignant Party, which had done so much mischief, and intended so much more, Wee resolved to accuse the Lord *Kimbolton*, M. *Halls*, M. *Pims*, M. *Hampden*, and M. *Strode*, (who had so maliciously contrived the ruine of Our Selfe and the established Government of this Church and Kingdome) and Sir *Arthur Haslerigg* (who had bin made their Instrument to obey and execute their bold and wild Designes) of high Treason, as We had great reason to do, hoping that the duty due

to Us, and the obligations We had put upon Our People this Parliament, would never suffer the Interest and Reputation of these men to be laid in the Scale and to over-weigh Our Regall Authoritie, and the Law of the Land, but that We should have found a way open to a faire and legall Tryall of them, which was all We desired.

How Our proceedings was in that businessse and Our managery of it, We have truly and at large set forth in Our Answer to the Declaration of both Houses of the 19. of May; That what We did first in acquainting the House of Commons with Our Accusation by Our Serjeant at Arms, was in correspondence and out of regard to that House, that We might rather have them delivered to the hands of Justice by them, then apprehend them by an ordinary Minister of Justice, which We were and are assured, what ever Doctrine is preached to the contrary, We might well have done in the Case of Treason, otherwise that Maxime in the Law, acknowledged in a Petition of both Houses to Vs in the beginning of Our Reigne in the case of the Earl of Arundell, That in case of Treason, Felony, and breach of Peace, Priviledge of Parliament doth not extend, is of no signification. The words are, *They find it an undoubted Right and constant Priviledge of Parliament, that no Member of Parliament (being the Parliament or within the usuall times of Priviledge of Parliament) is to be imprisoned or restrained, without Sentence or Order of the House, unlesse it be for Treason, Felony, or for refusing to give Sureties for the Peace.* In those cases 'twas then thought a Member of either House was not to be distinguished from another Subject. And why We might not as well have expected that upon Our Articles (not so generall as a meere verball Accusation) of high Treason, either House would have committed their severall Members, as they had done so many this Parliament, and about that time twelve together (upon a confessed ground, which every man there who knew what Treason was, knew that fast to be none) meerly because they were accused; and as the House of Peers had formerly done a Member of that House (the Earl of Bristol) arrested in the same manner, most of the good Lords being then Judges. We could then, nor can yet understand: That Our coming to the House was to prevent that shedding of blood which in all probability was like to follow that Order made the night before for resisting all such Officers who endeavoured (upon how legall warrant soever) to arrest any Members of either House (an Order much more unjustifiable by any rule of Law and Justice, by which Orders or Acts are to be examined, then any thing We have done, or any body by Our Authority) that Our purpose was no other but to acquaint that House with the matter of Our Accusation, to desire their Persons might be secured, and without any thought of the least violation of their Priviledges. This is that which We did. Examine now their part, and their Progress since,

and then judge whose Priviledges have been invaded, and with how good a mind to the Commonwealth they have proceeded.

We were no sooner gone, but the House adjourned it self with some unusuall expressions of offence, and We were speedily informed that some Reports and Scandals were raised against Vs in Our City of *London*, that VVe had offered violence to Our House of Commons, came thither with force to murder severall Members, and used threatening speeches here against Our Parliament, and that this was but a Preface to an attempt VVe meant to make against and upon the City. VVhereupon VVe resolved the next day to go to the Guildhall, and to shew the great confidence We had in the Affections of Our said City (wich We expected should have begot a proportionable confidence from them in Vs) We went attended with very few of Our own Servants, and then in the presence of the Lord Major, the Aldermen, and a very great Assembly of the chief Citizens and others, We made them a full Narration of what We had done the day before, and assured them that We intended no proceedings, but such as were most agreeable to the Law of the Land, and the Priviledge of Parliament. this Demeanour of Ours We thought would have given satisfaction to all Our loving Subjects, that if in truth We had erred in the form of Our proceedings, yet Our intentions were full of Justice and regard to the generall Law of the Land, from which We shall never willingly swerve. But in stead of any application to inform Our Judgement, wherein We had erred, and how We were to proceed, both Our Houses of Parliament under the Title of Committees adjourned themselves to the Guild-hall, and afterwards to Grocers-hall; the Persons accused remove themselves into the City, as to a Sanctuary, and there manage and contrive businesses to their own ends: They cause Discourses to be published, and insuasions to be made of incredible danger to the City and Kingdome by that Our comming to the House: an Alarm was given to the City in the dead time of the night, that We were coming with Horse and Foot thither, and thereupon the whole City put in Arms: And however the envy seemed to be cast upon the Designes of the Papists, mention was onely made of Actions of Our own. Their seditious Preachers and Agents are by them and their speciall and particular directions sent into the severall Counties to infuse those fears and jealousies into the minds of Our good Subjects, with Petitions ready drawn by them for the People to signe, which were yet many times by them changed three or foure times before the delivery upon accidents and occurrences of either or both Houses. And when many of Our poore deceived People of Our severall Counties have come to Our City of *London* with a Petition so framed, altered, and signed as aforesaid, that Petition hath been suppressed, and a new one ready drawn hath been put into their hands, after their comming to Town, (insomuch as few of

the company have known what they petitioned for) and hath bin by them presented to one or both Our Houses of Parliament, as that of *Bedfordshire* and *Buckinghamshire*, witnesse those Petitions; and amongst the rest that of *Hartfordshire*, which took notice of matters agreed on, or dissented from the night before the delivery, which was hardly time enough to get so many thousand hands, and to travel to *London* in that Errand. The accused Members, to shew how much they were above Vs, and the reach of the Law, march with a Guard of Armed men to the place where the Committee sat, sit with them, and govern those Counsels. First they procure a Declaration to be set forth and printed from the Committee (without being reported to the House, contrary to all Custome and Priviledge of Parliament, and against the Law it self) with very strange expressions of Our Carriage, and upon the matter requiring all People to assist them. This they cause to be sent into the City to the Common Councell, which by the undue practices of Captain *Venne*, and Master *Fulkes*, since made Alderman for his good service, (their principall Agents) they had caused to be altered by putting out the gravest and most substantiall Citizens, and taking in Persons of desperate fortunes and opinions, who they knew would concurre with them in their more desperate Actions: (the same Designe and the same way pursued to make the City of *London* at their disposall, as had been practised in the House of Commons: to work upon the whole Kingdome) and with this Common Councell correspondence is kept for the setting of unusuall Watches, placing of Guards in severall places of the City, as if some desperate attempt and assault were to be made upon the whole City by Vs, who were known scarce to have a Guard strong enough to preserve Our own House from violence. A Commander is appointed under the title of Sergeant Major Generall; and as if all men were now by their new Protestation made Judges of the Priviledges of Parliament, and the breaches thereof, and absolved from all rules of Obedience, speciall provision is made, and publick direction is given for drawing downe the Train bands of Our City of *London* to *Westminster* on a day appointed, to guard and bring in triumph the Persons accused of high Treason, as such worthy Patriots, that the Common wealth it selfe could not subsist, but with reference to them; who in their Discourses, and by their Messages to their Confederates expressed the greatest scorn of, and the most treasonable reproaches against Us, that can be imagined.

When VVe understood this horrid preparation made against Vs, the power it was evident these persons had to doe hurt, and the malice VVe knew they bore against Our Person (which we had too great reason to feare they intended to feize) VVe resolved to yeeld for the present to this Storme, and so the day before their coming to *Westminster*, VVee withdrew Our Person with

with Our Royall Consort, and Our Children to Our House at *Hampton Court*, and the rather lest the Courage and Indignation of some of Our good Subjects might (how weakly soever, yet with the effusion of blood) have opposed that great scorn intended Us; and beleeving that possibly by Our removing with all such Persons whose presence was excepted against, and discharging that small Guard which the Tumults had forced Vs to take for Our safetie, and which was urged as an argument of danger, and ground of the generall feares, might at least lessen their appearance the next day: But these powerfull Persons would by no means conceale their triumph over Vs, but the next day are guarded from their Residence in the City with multitudes of armed men, and Ammunition, in a Hostile and Warlike manner to *Westminster*. The same care and industrie was used to provoke and incense Our Mariners, Masters of Ships, and other Seamen, who were solicited by the Agents for the accused Persons, and by their speciall direction to expresse their affection likewise to the Cause in hand. And thereupon neere one hundred Lighters, and Long-boats were set out by water, laden with Sacres, unwarding Peeces, and other Ammunition, dressed up with Mast-clothes, and Streamers, as ready for fight. And in this Array these men by water, and the Souldiers by land cryed out as they passed by, that they would thus protekt and defend those Worthy Gentlemen, whom We had accused of High Treason, and as they passed by Our windows at *Whitchhall*, scornfully asked *What Was become of Vs, Whither We were gone?* In this Equipage they came to both Houses, where 'tis no wonder they have been since able to govern, having given such testimony of their power both by land and water. Let all the world judge by what Law this Army was raised, and whether any Act of Ours against these Persons was as unwarrantable as these proceedings.

We bore all this, being so much amazed at these distractions, that We could not easily find what colour the malice of these men had found out thus to out-face Vs, not yet conceiving We had broke any Priviledge, or that the casuall breaking of priviledge could have produced such prodigious distempers: But We were no sooner advertised where Our mistaking was, but without reprimination or complaining of the Injuries against Our Selfe, We sent to both Houses on the twelfth and fourteenth of *January* by Message, that in Our proceeding against those persons We had not the least intimation of violating their priviledges, which We would be willing to assert by any reasonable way We should be advised; that We would wave Our former proceedings against them, and when the minds of men should be composed, would proceed in an unquestionable way; in the mean time desired all jealousies might be laid aside; and application be made to the publick and pressing affaires, especially to those of *Ireland*, which cried for the utmost of Our assistance. But it concerned

those persons by no means to suffer such a composition : If these fears and jealousies were not kept up, and inflamed in the People, and the distractions heightened, they knew they should not onely bee disappointed of the Places, Offices, Honours, and Employments they had promised themselves, but be exposed to the justice of the Law, and just hatred of all good men. Therefore the business of both Kingdomes was not considerable to the Interests of the six Members, who would be thought the Pillars both of Church and State. They had now found a danger neerer hand then *Ireland*, and an Army raised by Us in one night at *Kingstone* upon *Thames* : and upon some extravagant information, pretended to be given to a Committee, (though some of their pretended witnesses publickly in the House disavowed any such testimonie) they procured an Order to be framed, and though before the publishing of it they had full and clear Evidence to the contrary by Persons come immediately from the place, and testifying it to be most quiet and peaceable, they yet had power to procure that Order to be published on the thirteenth of *January* (the next day after they had received so gracious a Message from Us) declaring that the Lord *Digby* and Colonell *Lunsford* (the former of which was in the Towne onely with a Coach and six horses, the other onely attended by his Servant, and hath been since earnestly pressed by the Serjeant of the House of Commons (in whose custodie he was) to accuse the Lord *Digby*, with promises that thereby himselfe should be discharged) had gathered Troops of Horse, and appeared in a warlike manner at *Kingstone* upon *Thames* (being within a mile of Our Court) to the terrour and affrightment of Our good Subjects, and to the disturbance of the publick Weale of the Kingdome : And therefore it was ordered that the Sheriffe and Justices of the Peace should, with the assistance of the Trained bands, suppress such Assemblies, &c. And this way they found out to draw that County to affront Us, and sent multitudes of mean people, under pretence of petitioning Us, to shew Us how unsecure Our Residence was like to be there too, and so in a short time compelled Us, Our Royall Consort, and Our Children to remove to Our Castle at *Windsor*. They proceed then by a close Committee (a thing scarce heard of till this Parliament, and of dangerous Consequence to the fame and reputation of all men) to examine such mean, unknown persons as they had by threats and promises solicited to that purpose, concerning the Circumstances of Our coming to the House, exhibiting bold and malicious Interrogatories and Questions concerning Our Selfe, and upon such wild Informations of desperate Persons, contrary to the known truth, and concealing other examinations which they had taken, and by which the contrary to what they would have the People beleieve would have appeared, particularly that very full examination of Captain *Ashley*, wherein Our publick and peremptory Commands against all manner of violence (though

provoked) are sufficiently manifested; they procured an Infamous Declaration to be published by the House of Commons (for the House of Peeres could not be yet prevailed with to joyn in those extravagancies) on the seventeenth of *January*, mentioning Our coming to the House, and some rude expressions of some Persons (who if there were any such Persons there, VVe are most confident they were not of Our Train) and would inferre from some mens calling for the Word at Our coming out of the House (which is a form used in Our Court, that those of Our Train who are before may know when and whither they are to go) that We had a purpose to have fallen upon the House of Commons, and to have cut all their throats, and do therefore Declare, That Our coming to the House was a trayterous designe against the King and Parliament; That Our Proclamation, issued out for the Apprehension of them, was false, scandalous, and illegall; That it was lawfull for all men to harbour them, and that whosoever did so, should be under the Protection and Priviledge of Parliament, with many other expressions of, and aspersions upon Us, which they hoped would render Us odious to Our good Subjects, and force Us for Our Safety to submit to such unreasonable Propositions which amongst themselves they had provided to be offered to Us, or provoke Us to such Actions as might give them some advantage. To keep the People in a continuall Alarm and apprehension of danger, few dayes passed without some pretended Discovery, by *S^r. Walter Earle*, or other quick-sighted men, of some Treason or Plot against the Parliament, the Citie, or the Kingdome; and upon every light and impossible information, many of Our Subjects sent for out of severall Counties, who after chargeable Attendance were dismissed without any reparation or reprehension. One day the Tower of *London* is in danger to be taken, and Information given that great multitudes, at least a hundred, had that day resorted to visit a Priest, then a prisoner there by order of the Lords, and that at the time of the information above 50 or threescore were then there, & a Warder dispatched of purpose to give that notice: upon enquiry, but foure Persons were then found to be there, and but eight all that day, who had visited that Priest. Another day a Taylour in a ditch, in the open fields, over-heares two passengers to plot the death of *M. Pim*, and of many other Members of both Houses. Then libellous Letters found in the streets without names (probably contrived by themselves, and by their power published, printed, and entred in their Journalls) and intimations given of the Papiests training under ground, and of notable provision of Ammunition in Houses, where, upon examination, a single Sword, and a Bow and Arrows are found. A designe of the Inhabitantes of *Covent-garden* to murder the Citie of *London*; News from *France, Italy, Spain, and Denmarke*, of Armies ready to come for *England*, with infinite such ridiculous Discourses, which are not onely suffered and directed to be printed, but

such countenance and credit given to them, that thereupon Guards must be doubled, correspondencies and letters interrupted and broken open, even of and to forreigne Ministers of State and Embassadours, to the scandall of the Nation, and against the Laws of Society and civill Conversation; a Committee appointed for Information, where liberty hath been taken, without any accusation or complaint extant, to examine the discourses passed at meales and entertainments, what words such a man spoke, and such other monstrous things, as in a short time will render life it selfe unpleasant, and make every Room and every Table a bait to betray men, and to bring them to ruine and destruction; inso much as persons have been sent and employed by Members of that Committee, on purpose to the tables of Persons of Honour and Qualitie, to inquire, observe, and informe what language and freedome was there used, whilst these Worthy accused Members tooke the libertie to themselves in all their private meetings, and by their letters, to deprave and slander Our Person, to contrive the alteration of the Government of the Church and State, to treat with forreign Power to assist them as soon as their Designes should be ripe, to labour by promises and threats to bring the severall Members of either House to their Opinion, and to raise scandalls upon, and to plot danger and ruine for those who were of another opinion.

And having now by these Acts disquieted and distracted the People abroad, and made them fit to receive any impressions from them, they proceed to work upon the Members of both Houses with infinite Industry and Applications, that they might be able to get the reputation of consent from them, to encourage and set the People a work, if VVe refused to consent with them. They had removed as many Members from them of a contrary opinion as they could and had used all means to get men who would be disposed by them into their roomes. If they found any such Lord, who had not a name in their List of the good Lords, were like to have any influence upon a place where an Election was to be, presently an Order was conceived and published that no Letters from any Nobleman ought to be written in such cases, and if written to be neglected; but would by no means consent that this Order should conclude those of the House of Commons, lest *M. Pym*, or any of those blessed Members might not write in the behalf of the Common-wealth, for a Worthy Gentleman. If any Elections were questioned, whereby they were like to lose a man at their disposall, such businesses and questions were of too private a nature to interrupt their proceedings; so neither the Election of *Newcastle*, *Warwick*, *Windsor*, and very many other places, for whom Persons serve without and against the consent of the Burroughs for whom they have got themselves returned or admitted, can be heard or considered. If the Election of any such Persons hath been heard at the Committee, and they Voted out of the House,

as unduly chosen or returned, they will by no means suffer such a Report to be made, lest a good Member should be lost, as in the case of *M. Nichols* (*M. Pym's* Nephew) and others. Are they concerned in the contrary, and is any man returned and admitted whom they would be rid of, and against whom the least pretence is made? straight a day is appointed, no business so great as fit to be a cause to keep a Worthy Member from the service of his Country; this is the case of *Andover* and other places. They rid themselves of those (how justly soever elected) whose opinions are not suitable, nor their dispositions weak and guilty enough to be wrought upon: Their next Conquest must be of those whom they could under any generall Vote conclude to be obnoxious to the justice (and so to be within the mercy) of the Parliament; to this purpose their terrible Votes (which they keep as Rods over them, having never proceeded against any) against all those Lords who had concurred in such an Order at the Councel Table, or such a Censure in the Starre Chamber; against all Lords Lieutenants, and their Deputies, who had raised Coat and Conduct money; against all Sheriffs, who had levied Shipmoney; against all Lords and other who had been concerned in, or received profit by any Monopoly, or illegall Patent; in a word, against all such who had meddled in any thing which their Interpretation would call grievous to the Subject, brought all Persons of either House, who had guilt enough to doubt themselves, or want of Spirit enough to feare them, either to be absent, or silent, or to comply with them; And if any man had the Courage to consider the single business justly, and by it self they were straight making an Inquisition into his whole life, & preparing something against him, for matters of which their favourites were equally guilty, and declared publickly, That what disservice soever any man had done formerly, if his present Actions were such as brought benefit to the Common-wealth, he ought not to be questioned for what was past, but cherished and protected. They had several baits to catch and betray other men: Those who had bin from the beginning deceived by them, and complied with them in their Passion, and been subtilly involved in some of their private Councils, they perswaded that they were so farre in, there was no retyring; that We would never forget the disservice they had done Vs, and therefore that there was no way to safety for themselves, but by weakning Vs, and putting themselves into such a condition as it should not be in Our Power to suppress them: To those who had publick thoughts about them, and desired the establisment of right equally between Vs and Our Subjects, and thought that right and favour they had obtained from Us this Parliament could never be enjoyed by them with that Lustre and Securitie, if the power from which they received it were oppressed, or rendered of lesse veneration, they seemed abundantly satisfied with those Acts We had passed, that they had no further aim then to enjoy those, but that they

they had upon Our unwilling passing those Acts (which all the World knows to be an untruth most maliciously framed) great reason to fear We meant not to observe them, when in truth Wee had by the Bill for the Trienniall Parliament put Our Self, and Our Posterity (which We were willing to doe) out of any possibility of destroying or not observing those good Laws: To those who were desirous to give that satisfaction to weak Consciences, that they might be eased of unnecessary Ceremonies, yet were scandalized at the profane and odious licence which the Rabble of Brownists, Anabaptists, and other Sectaries took to themselves of despising and reviling the Book of Common Prayer, of suffering Mechanick ignorant fellows to undertake publicly, even in Churches, to preach and expound the Scripture, they seemed no lesse to be disquieted at that disorder, but alledge that all reconciliation and union was to be embraced, and pursued against the common Enemy, the Papist (from whom the danger was principally to be feared) and when a perfect victory was obtained against them, they should easily bring the other poore, harmlesse Creatures to Conformity: Those who out of lazinesse, and vulgar spiritednesse were apt to comply with that Part, which was at last likely to prevail, they informed and assured confidently that they had those about Vs, who would at last periwade Vs to yield to all they demanded, and that all Places and Preferments should attend their directions, and be disposed by them, and that all such who opposed them, should be inevitably destroyed: Those whom neither their skill nor importunity, their threats nor their promises could prevail with to comply in their bad wayes they proscribed as a Malignant Party, and having cast all the aspersions upon them folly and madnesse could devise, exposed them to be torn in pieces by the People. And having thus disposed themselves, and perplexed the People, they proceed to laying that foundation of Greatnesse and power to themselves, they had from the beginning contrived and as if all the Pillars upon which the Peace, and Happinesse, and Being of this Kingdome was founded, were now shaken by the attempt against those six innocent Persons, and that all Our power was therefore to be transferred into other hands, they cause the matter of the Bill formerly exhibited in October before, to be again revived; and now all the Forts, and Castles of the Kingdome, and the whole *Admiration* must be put into such hands, as they might confide in. A Garrison must be put into Our Town of *Hull*, and Sir *John Horham* appointed Governour of it, to whom the Major of *Yorke* is ordered to dispose two thousand pounds out of the Pole-money, which was to pay the Arrears due to that County for Billet, and the great debt to Our Subjects of *Scotland*: And when the Major and principall Aldermen of *Hull* refuse to receive that Garrison, and urge the Petition of Right, that they may not be forced to billet those Souldiers, they are sent for to the House of Commons, and there kept in a tedious and chargeable Attendance, till the Garrison be taken in,

being sent for to no other purpose. Our own Magazine must be managed and disposed by their discretion. The Tower of *London* must be put into their hands, and a Person against whom malice it self could not finde the least accusation must be removed, for no other reason, but because Wee had a *Sir Iohn Eyron*. good opinion of him.

They who are the strictest in the censure of Us, and of Our easinesse, will find upon this State of things, that We had enough to doe, and that there was much difficulty to resolve. Wee will never deny that Our extream tendernesse of the Peace of the Kingdom, and Our great grief of heart to see Our good Subjects mis-led in their duty and affection, begat more of Our Compassion and Pity then of Our Anger and Indignation, so that wee were more awake to the sense of the calamity and misery which in all probability was like to befall them, then of Our own Honour and Dignity, and therefore without expressing the least resentment of all the scorns and injuries put upon Us, and to shew how much Our Soul was possessed with the care of Our People, We sent a Message to both Our Houses of Parliament from *Windsor*, on the twentieth of *January*, desiring them, for the composing the miserable Distractions of the Kingdome, to enter speedily into a serious Consideration of all particulars, as well those which might concern their Priviledges, their Liberty and their Property; the securing the true Religion, and the settling of Ceremonies, as those of Our just Regall Authority and Revenue, that so both We and they might make a cleere judgment of them, and We might make it appear how far VVe were from giving grounds for those Fears and Jealousies, by exceeding the examples of the most indulgent Princes in Our Acts of Grace and Favour to Our People. No body will blame Us, if VVe expected at least such an Answer as might bring Us and Our Houses of Parliament to an issue, that VVe might temperately debate what was to be done: But they who well knew the nature of their own Demands, and what they meant to insist upon, would by no means that things should be brought into so little roome, or discover the particulars of their desires, till they saw what strength they were like to have to second those desires: Therefore a new Adjournment is made to *Grocers Hall*, to consult of Evils and Remedies, severall Petitions framed and contrived by these Persons themselves, are sent into the severall Counties, and Multitudes of People resort every day to both Houses with Petitions, avowing the Fears and Jealousies these men had infused into them, and desiring to have the Kingdome put into a posture of defence, and declaring their stout Resolutions to mayntaine the Priviledge of Parliament.

In this triumph, they vouchsafe to petition Vs to proceed against the Members accused, or else that they might be publicly quit. VVe were resolved to give them no more advantage upon breach of Priviledge, and therefore desired

to be informed which way VVe were to proceed, and whether VVe might prefer Indictments against them at the Common Law : We were answered , That no proceeding should be against them without consent of that House of which they were Members , and therefore VVee were desired within three days to inform both Houses what proof VVee had against them , or else they should be cleared; and they had before caused their false , scandalous Declaration of the fourteenth of *January* of Our coming to the House , to bee new printed , together with the Protestation , and to be sent over the whole Kingdom by the Knights , and Burgesses , as if by the one they were obliged to defend the other. In this Case no man will believe VVee had reason to bring in Our proofs against these men , and to publish Our Evidence , when VVee were told, *It was in the power of the Major part to chuse whether they should be tryed or no* ; and VVee might easily see, and all the world will judge by the proceedings then, and their publick expressions since, whether if VVee had proved a Conspiracy amongst them to have taken away Our life, they would not have found some distinction between Our Person and Our Office, which should have preserved these persons from the hand and course of Justice. And to what other end should that doctrine be published with so much passion, *That in Case of Treason We might not proceed against any Member but by consent of the House*, (so contrary to Custome Law, and Reason) but to let all men know it should not be in Our power to question them for any thing they should do against Vs, let the Law be never so cleer in the point. Vpon all these considerations, rather then to wast time in the dispute , when they are resolved to be their own Judges too, VVe sent them word by Our Answer to their Petition of the second of *February*, That VVee found VVee had good cause to desert any prosecution of those Members , and further offered to grant such a free and a generall pardon to all Our loving Subjects , as should be thought fit by the advice of both Houses which VVee thought to be the best way to compose all Fears and Jealousies of what kind soever. But the businesse of these men could not be done that way ; a generall Pardon would never have setled the *Militia*, & dispossessed Vs of those Rights and that Power, without which they could not compass their Designes. They now resort to their old refuge , the common people of the City and Suburbs, and whatever they desired, these men must aske for the satisfaction of the Fears and Jealousies of the City. The City had bin desired to lend 100000 pounds for the relief of *Ireland* , and their Answer is drawn up to their hands of their inability to lend, and such reasons given as might advance what had bin upon generall discourses neglected. The ten thousand men proffered by the *Scots* for *Ireland* were not accepted ; a Bill having beene offered Vs for pressing , and in it a clause (not necessary to the present , and therefore purposely as VVee conceive put in , in hope VVee would

would upon that refuse it) declaring Us to have no power to presse (a power constantly practised by Our Ancestors, and even in the blessed times of Queen *Elisabeth*), and Our pause upon it was urged as a Designe to lose that Kingdom, although Wee had offered to raise ten thousand Voluntiers for that purpose, if they would pay them; The not securing of the Cinque-ports, though the custody of them was in a Noble Person, against whom the least exception could not be made, and the not settling the Kingdom in a posture of Defence; The not removing Sir *John Byron* from being Lievtenant of the Tower, whereby through distrust they were forced to forbear the bringing in of Bullion to the Mint (when 'tis notoriously known there was more Bullion brought into Our Mine in the time that Gentleman was Lievtenant, then in the same quantity of time in any mans remembrance.) The Votes of the Bishops and the Popish Lords in the House of Peers, and all other things which were then in Designe, and had in vain bin attempted by them, by the refusall of the House of Peers severall times to joyne with them, were now urged as principall Reasons by this Petition of *London*, why they could not lend a hundred thousand pounds to *Ireland*, and were pressed by severall other Petitions contrived by them, and presented to both Houses, or to the House of Commons. And these Petitions are carried up to the Lords by *M. Pim*, who takes upon him to reproach them for not concurring with the House of Commons, and impudently lays that scandall upon Us, That Wee had suffered many to passe by Our owne immediate Warrant, who were since Commanders in the head of the Rebeis: a false and abominable scandall, raised by his owne malice to draw Our good Subjects against Us, without the least colour or shadow of truth, as appears by those Answers they have published to Our exception in that point, wherein there is not the least evidence of any such Warrant granted by Us, Though *M. Pim* be so great a Person, that We can have no reparation against him for that Calumny, but had Credit enough with the House of Commons to perswade them to charge themselves unjustly to excuse him, and to take upon them that he had said nothing in that Speech but by their directions, all this had not that quick operation with the Lords, with whom, (though they had committed 12 Bishops for Treason, a thing themselves blush at, & the popish Lords had absented themselves) they could not prevaile to joyne in matters so unreasonable in themselves, and dishonourable to Us; therefore the House of Commons by themselves petition Us, thank Us for Our Message of the twentieth of *January*, though they have since declared it to be a breach of Privilege, resolving to take it into serious and speedy Consideration; onely desire for their security, That We will put the Tower of *London* and all the Forts of the Kingdom, and the whole *Militia* into such hands as should be recommended unto Us by them, (for the House of Peers had refused to joyne with them, and so were

upon the matter petitioned against, and left out in the power of recommendation.) Sure this was the strangest Petition that till that time had ever been presented by the House of Commons to their King, yet Wee returned a gracious Answer, That if any particular should be presented to Vs, whereby it might appeare that the Lieytenant of the Tower was unfit for the trust VVee had committed to him, VVe would immediatly remove him; otherwise we were obliged in Honour & Justice not to put such a disgrace upon him. For the Forts & Castles, that VVe were resolved they should be always in such hands, and onely such as our Parliament should have cause to confide in; that We would have the Nomination of them Our Self, but that they should be always left (if any thing were objected against them) to the VVisdom and Justice of the Parliament. For the *Milnia*, that when some particular course should be proposed to Vs, for the ordering of it, VVe should return an Answer agreeable to Honour and Justice, as appears more at large in Our Answer of the 28 of *February* to that Petition.

This gave them no better satisfaction then the former: but finding that without the consent of the House of Peers) of whom much the major part, though the popish Lords and the Bishops were absent, dissented from them) and against Our consent, they were not like to prevail over Our people, they resolve of another attempt upon them; their old Friends the Multitude must be againe brought downe by the great Conductor Captain *Venne*, who is notoriously known, and proesse thereof offered to be produced by Master *Kirton* to the House of Commons, to have severall times sent to and solicited people to come down out of the City with Swords and Pistols when he had told them, or sent them word by his VVife, That the worse party was like to have the better of the good Party; and for all which publick offer, neither was Master *Venne* then suffered to answer to this charge, nor Master *Kirton* allowed any time (though many dayes were set) to bring in the particulars and witnesses. Many persons are importuned to set their hands against the Lieytenant of the Tower, that they durst not bring in any Bullion to the Mint for want of confidence, when they never brought in any in their lives; and being asked how they could set their hands to such a Certificate (when it was knowne that never greater Quantity was brought in then at that time) answered, That they were directed by Parliament men to doe so, or else they could not compass their ends: and having gotten multitudes of people of severall Counties, or such as pretended to be so, to deliver Petitions to both Houses, and to desire leave that they might protest against those Lords, who would not agree to the Votes of the House of Commons, as the Petitions of *Surrey* and *Hartfordshire* doe; and perswaded others in the name of many thousands of poore people in and about the City of *London*, to petition against a malignant Faction, which made ab-

ortive) all those good intentions, which tended to the Peace and Tranquillity of the Kingdome, and to desire that those Noble Worthies of the House of Peers, who concurred with them in their happy Votes, might be earnestly desired to joyne with the House of Commons, and to sit and Vote as one entire body, professing that unlesse some speedy remedy were taken for the removall of all such obstructions, as hindred the happy progresse of their great endeavours, the Petitioners should not rest in quietnesse, but should be enforced to lay hold on the next remedy which was at hand, to remove the disturbers of their peace, and (want and necessity breaking the bounds of modesty) not to leave any means unassayed for their Relief; adding, that the cry of the poor and needy was, That such persons who were the obstacles of their peace, and hinderers of the happy proceedings of this Parliament, might be forth-with publickly declared, whose Removall they conceived would put a period to those Distractions, after it had bin said in the House of Peers, *That whoever would not consent to the Proposition made by the House of Commons, concerning the Forts, Castles, and the Militia* (when it was rejected by a Major part twice) *was an Enemy to the Common-wealth.* This Petition was brought up to the House of Lords by the House of Commons, at a Conference, and after, the same day, Master *Hollis* (a person formerly accused by Vs of High Treason, and a most malicious Promoter and Contriver of those Petitions and Tumults) pressed the Lords, at the Bar, to joyne with the House of Commons in their desire about the *Militia*, and further (with many other Expressions of like nature) desired in words to this effect, *That (if that desire of the House of Commons were not assented to) those Lords, who were willing to concur would find some meanes to make themselves knowne, that it might be knowne who were against them, and they might make it known to them who sent them.* Vpon which Petition, so strangely framed, counselled, and seconded, so great a number of the Lords departed, that that Vote passed (which they had so often before denied) in Order to the Ordinance concerning the *Militia*, and since that time, they have been able to carry any thing; and upon the matter, the Resolution of the House of Commons hath been wholly guided by those persons who had given so plain Evidence that they had the Multitude at their Command, and hath wholly guided that of the House of Peers, who with little debate or dispute, have for the most part submitted to whatsoever hath bin brought to them. Shortly after they passed their Ordinance with such a preamble, as highly concerned Vs in Honour and Justice to protest against; wholly excluding Vs (in whom that whole power absolutely was and is) from any power or authority in the *Militia*, the Arms and strength of the Kingdom, and that, for as long as they pleased: And as if the matter were not worth the considering, or that there ought to be no other measure to guide Vs in point of judgement, or understanding,

but their Votes, it was ill taken that wee did not immediately return Our Answer, but took some time to consider it, and We were again with great passion and impatience pressed to give Our Answer, they being pleased to tell Vs, *They could not but interpret the delay to be in a degree a deniall*: And in the meane time to give Vs an instance how modestly they were like to use such power, when We should commit it to them, they presumed of themselves (knowing We had appointed Our Son the Prince to meet Vs at *Greenwich* in Our Returne from *Dover*) to inhibit his meeting Vs there, and to endeavour to get him into their custody. All these things considered, and the Insolence, and Injustice of the Ordinance, We might very well have rejected that Proposition with a flat deniall, and just indignation; but we easily perceived that Our good people were misled by the Cunning and Malice of those *Bontefeuus*, and thought it alwayes a compliance worthy a Prince to take all possible pains to undeceive such who are led into mistakings, and therefore We returned to their Proposition for the Ordinance a gracious Answer & Animadversion, made it evident to them, that the preamble was in it selfe untrue, and against Our Honour to consent to, and expressed Our cleere intention in Our going to Our House of Commons; We allowed all those persons recommended to Vs (except onely in Corporations, to whom a Right was formerly granted by Charter, not consistent with this Ordinance) and offered to grant such Commissions to them, as had very long and happily bin used in this Kingdome, and which wee had this very Parliament granted to two Lords, at the instance and intreaty of both Houses. If that power should not be thought enough, VVe offered to grant any should be first vested in Vs, and so VVe be enabled to grant; but desired that the whole might be digested into an Act of Parliament, whereby Our good Subjects might know, what they were to doe, and what they were to suffer, that there might be the least latitude for the exercising of any Arbitrary power over them; which Answer we desire all Our Subjects to read, and consider, whether we did not thereby grant all which themselves had first desired, and whether there was cause to Vote such who advised that Answer to be Enemies to the State, and mischievous Projectours against the defence of the Kingdome, But as if all the Acts passed by Vs, (amongst which that for the taking away the Votes of the Bishops out of the House of Peers was the last) were of no other value, but as instances that VVee would never deny them any thing, they immediately in great fury addresse themselves to Vs with a new *Humble Petition* (as they called it, but was indeed a threatning) and told Vs plainly, *That if Wee would not then (in that instant) give Our Royall assent to their Ordinance, they were resolved to dispose of the Militia by the Authority of both Houses without Vs; advised Vs to stay about London, to put away evill Counsellors, and to let Our Son the Prince be and continue at S. James's, or some other*

of Our Houses neer about London, that the Jealousies and Feares of Our People might be prevented. VVe must appeale to all the world, whether considering what had been done in publick, and said in private, VVe had no cause of Jealousie, and whether having such evidence of the malice, guilt and power of those accused Members, who had designed to have taken the Prince Our Son from Vs by force, it was not high time to remove a little further from that Torrent which might have overwhelmed Us, and made them as well, and by the same Rule, Masters of Our Person, as of Our *Militia*. This carried Us first from *Theobalds* to *Newmarket*; and whosoever reads the Declaration sent Us thither, the strange language given Vs, and scandals laid upon Vs in that Declaration, will not wonder, that We made all the haste we could from thence to *York*.

What hath hapned since Our comming hither, both in Words and Actions, is too notorious to all the parts of Christendome, who, with wonder and delight, are amazed to see the Wisdome, Courage, Affection, and Loyalty of the *English* Nation appeare so farre shrunk, and confounded by the Malice, Cunning and Industry of Persons, contemptible in number, inconsiderable in Fortune and Reputation, united onely by Guilt and Conspiracie against Vs. A licence even to Treason is admitted (that is, not punished) in Pulpits, and Persons ignorant in Learning and Understanding, turbulent and seditious in disposition, scandalous in life, and unconformable in Opinion to the Laws of the Land, are by these men their Recommendation and Authority, imposed upon Parishes to infect and poyson the mindes of Our People. Our Townes, Our Goods, Our Money are taken from Vs, and to make the score compleat, care is taken to perswade Vs that We are not injured, but that all is done for Our good. Opinions and Resolutions are imposed upon Vs by Votes, and Declarations, that We intend to levy War. and then Arms taken up to destroy Vs; Rebellions and Treasons contrived, fomented, and acted against Vs, and then reproches cast on Vs, and war raised against Vs, because We are displeased. Wee send Our Command to Our Keeper of Our Great Seale of *England*, to adjourn the Terme from *London* to *Yorke*, a thing as much in Our power, as in what Room of Our House Wee will lodge or eate; this is straight Voted to be illeall, and Our Keeper of Our Own Seal peremptorily forbid to doe his duty, to seale a Writ or Proclamation to that purpose: And when in obedience to Our expresse Command he comes to wait on Vs, he is pursued with a Warrant to all Majors, Justices of the Peace, Sheriffs, and other Officers to apprehend him. A Committee is sent downe into the Countries neer Vs to execute their pretended Ordinance, who compell Our Subjects to take Armes against Vs, and threaten and imprison such as refuse

refuse, without the least colour of Law; whilest such who execute our Legall Commission of Array are sent for as delinquents: and declared to be enemies to the Kingdome, Our own moneys seized upon at London, and no supply suffered to be sent Vs; all persons are forbid to come to Vs, and charge given to all men, near the Northern Road, to stop all men and horses, who are for Our service comming to York, *there being* (as Mr. Hollis sayes in his speech, of which he hath the sole printing, and hath granted that Monopoly to one *Vnderhill*) *a mark set upon that place, and an opinion declared concerning those who shall resort thither*: Our High wayes are shut up, and Our good Subjects are hindered in their journeys, and their goods seized and detained from them, because they have occasions to use them in the North: Our own household Servants refuse to attend vs upon Our summons, and then the putting them from their places is Voted an injury to the Parliament, and whosoever shall accept of those places, to offer an affront to the Parliament, and render themselves unworthy of any place of Honour or Trust in the Common-Wealth: Sir *John Hatham* is commended and protested for keeping Vs out of Our Town of *Hull* by force and Armes; and Our raising a Guard for Our defence is voted leaving warre against Our Parliament; whilest he murders Our Subjects, takes them prisoners, burns their houses, drowns their Land, robs all men he can lay hold of, and committeth all the insolent Acts of Hostility against Vs, and Our Subjects, which the most unequall and declared enemies practise in any Countrey. And when after all these outrages, Our miserable Subjects throw themselves at Our feet, crying for and challenging Our Protection, We must not perform that duty towards them, nor presume to say Sir *John Hatham* is a Traytour, because he hath priviledge of Parliament. Our Royall Navy, Our own Ships are taken from Us, the Earle of *Warwicke* made Our Admirall in despite and scorn of Us, who chafes Our Subjects, and makes war upon Us, under the Authority of another pretended Ordinance; and his letter published by the direction of the House of Peers, to shew how easie it was to make an election, rather to despise Us, and the known unquestionable Law of the Land, then to neglect an Order of both Houses in a matter they have no more just power to meddle in, then they have to sell Our Houses Parks, and Crown-lands; and they may as lawfully send those Ships to the Indies, and ordain that we shall never have more, as keep them in the Downs against Our will, and under a Command Wee do protest against to all the world. We are defamed and publicly reproached for want of zeale against the Rebels in *Ireland*, and when we offer to venture Our own Person, and our Crown-land for the reliefe of our miserable Subjects there, such a journey is voted to be against the Law, to be an encouragement to the Rebels, that whosoever shall assist Us in it, shall be an enemy to the Common-wealth, and that the Sheriffs of Counties shall

raise power to suppress any levies We shall make to that purpose. And after all this (when it hath been publickly said by M. *Martin*, That *Our Office is forfeitable, and that the happinesse of this Kingdome doth not depend upon Vs, or any of the Regall branches of that Stocke* : and by *S^r. Henry Ludlow*, That *wee are not worthy to be King of England*, and been declared. That *We have no negative voyce*, which puts Our Crown, the Law of the Land, the Liberty and property of the Subject absolutely into their hands) We are told by these devout champions for Anarchy and Confusion, That *We are fauently dealt with, that We are not deposed ; that if they did that. there would be neither want of modesty or duty in them.* They publish false, scandalous Declarations to corrupt Our good Subjects in their Loyalty and Affection to Us, injoyn them to be read, and disperse them with all care and industrie, and send for all Ministers, who according to Our Command publish Our Answers to undeceive Our people, as Delinquents, notwithstanding We have not prohibited any to read theirs : They commit the Lord Major of *London*, and other Majors, for publishing Our Proclamations according to Our Writ, and his Oath, and straitly charge all Our Ministers of Justice not to obey Us : They raise an Army against Us, and choose the Earle of *Essex* for their Generall, and grant him a power over Us, the Law, and all Our people, that he may kill and destroy whom he thinks fit, and impose an oath upon Our Subjects to execute all the Commands of both Houses : They waste and consume the money given by Act of Parliament for discharge of the great debt of the Kingdome, and for the reliefe of the bleeding condition of *Ireland* ; imploy the money brought in by the Adventurers, and those men who are levied by Our Authoritie and Commission for the preservation of Our miserable Subjects there, to serve them in a warre against Us, whereby all men may see what reason We had, not to consent to a Warrant Dormant under pretence of levies for *Ireland*, which might have furnished them with men to fight against Us, as the same pretence hath done with all the Arms We had in Our Magazines : They commit such of Our Subjects to Prison, whom they are pleased to suspect (as the Earle of *Portland*) and for no other reason but that they believe them Loyall to Us ; Censure and Degrade nine Lords at a clap for obeying our Summons, and coming to Us, when scarce that number concurred in the Judgement ; and Declare two others enemies to the Common-wealth, and take their Votes from them, without so much as summoning them to answer any Charge brought against them : They presume to take Tunnage and Poundage by a pretended Ordinance without Our consent, though they have so often pressed it against Us, that We tooke it without theirs, and so now dispeuce with a *Premunire* made this Parliament as they have formerly done with Treason. Lastly, to shew into what hands they intend the Government of this Kingdome shall be

put, they have reduced the businesse of the whole Kingdome from both Houses of Parliament into the hands of a few desperate persons, who have the power committed to them to Act this Tragedy, without acquainting the Houses, and so have gotten the Authoritie of King and both Houses of Parliament to destroy all three; make Orders to breake up houses, take away plate and money, because 'tis possible the owners wish it with Us at *York*; send Troopes of horse to make Warre upon Us in what Counties they please, and commit such unheard of Acts of oppression, and injustice, as no story can parallel, where the least forme of government hath been left: that all Our good Subjects may see by what rules they shall live, and what right they are to enjoy, when these men have gotten the sway, who in the infancie of their power, and when there is yet left some memorie of, and reverence to the Laws under which their fathers lived so happily, dare leap over all those knowne and confessed principles of Government and Obedience, and exercise a Tyrannie both over Prince and people more insupportable then Confusion it selfe.

And for all this impudent injustice (odious to God and Man) what is objected against Vs? that We will not be advised by Our Parliament: In what? what one Proposition that is evidently for the ease of Our Subjects have We denied? that We have granted many is confessed. We will not consent that the Ordinance of the *Militia* shall be executed and obeyed; that is, We will not allow that both Houses of Parliament shall make Laws, and impose upon the Property and Libertie of Our Subjects without Our consent (which if We should yield to, upon the same pretences of necessity, a word fatall to this Kingdome, and the publick good, the House of Commons might as well, and would quickly come to make Laws without the House of Peers, and the Common people without either) nor are willing that those men, who have discovered all malice to Our Person, and disesteem and irreverence of Our Office, shall be legally qualified to take up Arms against Vs, when they shall be thereunto provoked by their Malice or Ambition. There can be no new thing said in this Argument We must referre Our good Subjects to Our severall Answers, Declarations and Proclamations in that point; onely it will be worth their considering, that this extraordinary, unheard of, extravagant Power was assumed in case of peremptory necessitie, for the prevention of imminent danger in the beginning of *March* (how long it was in designe before is understood by Sir *Arthur Haslerigge* his bill long preceding) whether any such danger hath been since discovered, and whether unspeakable calamities have not already, and are like to ensue from that fountaine, Wee wish it were not too apparent. And if those fears and jealousies, which seem to make that ordinance necessary, were indeed reall and honest, that in truth nothing were desired but putting the Kingdome into a Posture, that is, that all our loving Subject.

jects might be provided with Arms, and dextrous in the using them, if any Invasion or Rebellion should be; is not all this care taken, and all this security provided for by the Commission of Array? what honest end can that ordinance have, which is not obtained by the execution of and obedience to that Commission? but 'tis true the power is not in those hands, nor like to be employed to those uses, it is now intended. Who hath not heard these men say, that the alteration they intend, and is necessarie, both in Church and State, must be made by blood? are not the principles by which they live destructive to all Laws, and Compacts? is not every thing necessary they think so, and every thing lawfull that is in order to that necessitie? sure, if our good Subjects were thoroughly awake in this businesse, they would think they had much more cause to thank Vs for denying this ordinance, then for granting all that We have granted. What is there else? Wee doe not thinke Sir *John Hotham* hath delt well with Us, in keeping Our Towne from Us, nor doe take it kindly that Wee are robbed of our Magazine and Munition, but thinke of recovering both by force because Wee cannot have them otherwise, which will be an actuall levying Warre against our Parliament. This Argument is sufficiently vexed too: Our good Subjects will reade the Messages, Answers, Votes and Declarations in this case; and Wee are sure upon the Grounds laid to justifie this Treason, no Subject in *England* hath a house of his owne, which may not to morrow bee given to Sir *John Hotham* for as long a terme as they thinke fit; and he may be sent to morrow to murder Us, and be no Traytour, and they who shall shut the doore against him shall be Delinquents. Is there no more? yes. We will not submit to those nineteene dutifull and modest Propositions which have beene lately throwne at Us, as the necessary meanes of removing jealousies and differences, and as the last complement of all their scornes and injurie, that Posteritie may see to what a tameness We were brought when such things were asked of Us: We will not be content that all Our officers and Ministers of State, be they never so faithful to Us, so affectionate to their Countrey, never so wise, never so honest, shall be immediately removed from Us and their Places, be disgraced and undone, and in their roomes, these Gentlemen (who have taken all possible pains to destroy King and people) or such whom they shall recommend, to succeed, that the same Faction may be carried through the whole Kingdome; which these men have raised in both Houses of Parliament; that all Affaires of the Kingdome be managed not onely by their advice, but their absolute direction and command, lest any man should thinke himselfe Our Servant; that the Education and Marriage of our Children be committed to them, lest any Christian Prince should make addressees to Us in such Treaties: In a word, that in gratitude to their modesty and duty for not deposing Us, VVe will not now depose

depofe Our Selfe, and fuffer the People and Kingdome (which God, and the Law hath committed to Our government and protection, and for which We muft make an account) to be devoured by them.

Sure thefe men think 'tis no affront to afke any thing : But can Our good Subjects be longer kept in this trance ? can the Nobilitie, Gentrie, Clergie, Commonalty of *England* facrifice their Honour, Intereft, Religion, Libertie to termes and the mere found of Parliament, and Priviledge ? can their experience, reafon, and underftanding be captivated by words, and affumptions contradictory to all Principles ? What one thing have We denied, that with reference to the publick peace and happineffe was to be bought with the loffe of the meaneft Subject ? and yet into what a Sea of bloud is the rage and fury of thefe men launching out, to wrefl that from Vs, which We are bound (if we had a thoufand lives to lofe in the contention) to defend ? nay what one thing is there that makes life precious to good men, which We do not defend, and thefe men oppofe, and would evidently deftroy ? What grievance or prefure have Our People complained of, and been eafed by Vs, which is not now brought upon them in an unlimited degree ? Is the true Reformed Proteftant Religion, fealed by the bloud of fo many Reverend Martyrs, and eftablifhed by the wifedome and pietie of former bleffed Parliaments, dear to them ? We muft appeal to all the world (being called upon by the reproches of thefe men) whether Our own practice (the beft evidence of Religion) and all the affiftance and offers We can give, have been wanting to the Advancement of that Religion : and what can be more done by Vs to fatisfie and fecure Our people in that point ? On the other fide, let all Our good Subjects confider and weigh what pregnant Arguments they have to fear Innovation in Religion, if thefe desperate perfons prevail ; when the principall men, to whose care and Induftry they have committed the managery of that part, refufe Communion with the Church of *England*, as much as the Papifts do, and have not onely, with that freedome they think fit to ufe, reproched the Book of Common Prayer, and the Government of the Church in their fpeeches, but have publifhed thofe fpeeches in the view of all men in print, that the world might fee by what meafure and rule the Reformation they fo much talk of, is to be made ; when fuch Petitions have been contrived by them, and accepted with publick thanks, which revile the Book of Common Prayer, calling it a *Maſſe-book*, in fcorn and contempt of the Law, whileft other Petitions for the Government eftablifhed by Law have been rejefted, difcountenanced, and the Petitioners punifhed ; and when two Armies were kept in the Bowels of the Kingdome ten weeks, at the charge of fourefcore thoufand pounds a moneth, for the Countenance of a Bill to eradicate Epifcopacie, root and branch : when fuch licence is given to Brownifts, Anabaptifts, Sectaries, and whileft Coach-

men, Feltmakers, and such Mechanick persons are allowed, and entertained to preach by those who thinke themselves the principall Members of either House; when such barbarous outrages in Churches, and heathenish irreverence and uprores, even in the time of Divine Service, and the Administration of the blessed Sacrament, are practised without controul: when the blessed means of advancing Religion, the preaching of the Word of God, is turned into a Licence of libelling, and reviling both Church and State, and venting such seditious positions, as by the Laws of the Land are no lesse then Treason, and scarce a man in reputation and credit with these Grand Reformers, who is not notoriously guilty of this; whilest those Learned, reverend, painfull, and pious Preachers, who have been and are the most eminent and able assertours of the Protestant Religion, are (to the unspeakeable joy of the Adversaries to Our Religion) disregarded and oppressed; Lastly, when for the settling and composing all these distractions and distempers, in stead of a free and generall Synod of grave and learned Divines, which hath been so much talked of (and to whose deliberations We were and are willing to commit the consideration of those Affaires) Conference is desired with particular men, nominated by themselves, contrary to the the Rights and Practice of the Church, the major part of whom (though we confesse there are many reverend, learned, and pious persons amongst them) are not of learning and understanding futable to so great a worke, are of known avowed disaffection to the Doctrine and Discipline of the Church, and of those who have preached seditiously, and treasonably, against Our Person and Authority, as Doctour *Downing* and others. Who ever from his soule desires a true examination and Reformation in Religion cannot expect it from the results of these mens counsels, nor think the true service of God is like to be advanced or preserved by such practices. And all sober men must looke with strange horror and indignation upon the last Declaration of the Lords and Commons, which after such unpresidented outrages and violences against Us publishes the ground of their taking up defensive Arms (as they call them) to be for the maintenance of the true Religion; the taking & keeping of *Hull*, Our Navy, Our Mony, and Goods the exercising of the *Militia*, and all the other injuries We complaine of, to be for the maintenance of Religion: but whosoever beleeves them to be for the preservation of Our Person, may beleeve the other too. Would men enjoy the Lawes they were borne to? the Liberty and Property which makes the subjection of this Nation famous and honourable with all neighbouring Kingdomes? We have done Our part to make a wall of brasse for the perpetuall defence of them, whilest these ill men usurp a power to undermine that wall, and to shake those foundations, which cannot be pulled downe, but to the confusion of Law, Liberty, Property, and the very life and Being of Our Subjects? Is the Digni-

ty, Priviledge and Freedome of Parliaments (Parliaments whose wisdome and gravitie have prepared so many wholsome Lawes, and whose freedome distinguishes the condition of Our Subjects from those of any Monarchy in Europe) pretious unto Our people ? Where was that Freedome and that priviledge when the House of Commons presumed to make Lawes without the House of Peers, as they did in their Vote upon the Protestation, and of the 9. of September, when the House of Commons and the House of Peers presumed to make Lawes without Our consent, as they have done in the businesse of the *Militia*, of *Hull*, in the behalfe of their Champion Serjeant Major Generall *Skippon*, of the Earle of *Warwicke*, of their new Generall the Earle of *Essex*, (with whom they will live and die) and many other Cases ? Where was that Freedome and priviledge when Alderman *Pennington* and Captaine *Venne* brought down their Myruidons to assault and terrifie the Members of both Houses, whose faces or whose opinions they liked not, and by that Army to awe the Parliament ; when those rude multitudes published the names of the Members of both Houses, as enemies to the Common-wealth, who would not agree to their frantick propositions ; when the names of those were given by Members of the House, that they might be proscribed, and torn in pieces by those Multitudes, when many were driven away for feare of their lives from being present at those consultations, and when *M. Hollis* required the names of those Lords who would not agree with the House of Commons ? Lastly, where was that freedome and priviledge of Parliament, when Members of the one House had been questioned for words spoken in the House, and one freed, the other but reprehended by vote of the Major part, were again questioned by the other House, and a charge brought against them for those words ? Is Honour, Reputation, Freedome and Civility to bee esteemed ? What causelesse Defamations have beene raised and entertained upon persons of qualitie, and unblemished estimation, upon no grounds or appearance of reason, but because their opinions ran not with the Torrent ? what caresses have beene and are made to persons loose, vitious, and debauched, of no vertue, no Religion, no reputation, but of inalice and ingratitude to Vs ? their names will be easily found out, by all mens observation, and their owne blushes, though they shall not have the Honour of Our mention ? How have the Lawes of Hospitality and Civility been violated, the freedome and libertie of Conversation (the pleasure and delight of life) been invaded by them ? the discourses at Tables, whispers in gardens and walkes examined, and of persons under no accusation ? Letters broken up, (Our owne to Our dearest Consort the Queene, not spared) read publickly, and commented upon, with such circumstances as make Christendome laugh at Our follies, and abhorre Our correspondence ? Is peace and tranquillitie deare to Our Subjects ? To shew that Wee have left

no way to that (not destructive to Honour and Justice) unattempted, We offered to lay down Our Armes upon no other Reparations for all the Indignities multiplyed upon Us, then these, that they should lay downe theirs so unjustifiably taken. and We have Our owne Towne, goods and Navy (taken and kept by violence from Us) to be peaceably restored to Us, and the power of making Laws without Vs by the way of Ordinances (which implies a power by Ordinance to depose Us) and that in particular concerning the *Militia*, to be disavowed, and a safe place to be agreed on, where We might be present with our great Councell, for the composing of all misunderstandings, and making this Kingdome happy: which offers not onely were not accepted, but not so much as any Answer directed immediately to Us; somewhat onely sent down by their under-Clerk, which with their first Petition and Our Answer (We are much pleased to heare) are ordered to be printed and read in all Churches, (We desire no better evidence then Our and their writings and actions, and no better Judges and Witnesses then Our people of Our love to peace) and even before this kind of Answer came to Us, whilst we with patience and hope, expecting such a return as We desired, forbore any action or attempt of force, according to Our promise, Sir *John Hotham* sallyed out in the night, and murdered the persons of his fellow-subjects, and ever since in this quarrell they labour to encrease their Army, (the very levie of which is Treason) and are ready to march with it against Us, Let all the world judge, who are the lovers of Peace. Lastly, is the Constitution of the Kingdome to be preserved, and Monarchy it self upheld? can any thing be more evident then that the end of these men is, or the conclusion which must attend their premisses must be, to introduce a paritie and confusion of all degrees and conditions? are not severall books and pavers (such as the *Observations upon parts of Our Messages*) published by their direction, at least under their countenance, against Monarchy it self? Is it possible for Vs to be made vile, and contemptible, and shall Our good Subjects continue as they are? Can Our just power be taken from Vs, and shall they enjoy their liberty? Whosoever is a friend to the constitution of the Kingdome, must be an enemy to these men.

How the benefit, advantages, and hopes of the Kingdome have been and are advanced and promoted by these men, all good men see and discern. Let Vs consider now whether all those grievances and pressures which our Subjects have heretofore suffered under, and of which Our Justice and Favour hath eased them, be not by the Faction and Tyranny of these men redoubled upon Our people. Were the consciences of men grieved and scandalized at the too much Formality and Circumstances used in the exercise of Religion, and are they not equally concerned in the uncomlinisse, irreverence, and profanenesse now avowed to the dishonour of Christianity? were they troubled to see the

Pulpit sometimes made a Bar to plead against the Liberty and Property of the Subject, and are they not more confounded to see it so generally made a Scaffold to incite the people to Rebellion and Sedition against Vs? Have Our people suffered under and bin oppressed by the exercise of an Arbitrary power, and out of a sense of those sufferings have VVee consented to take away the *Star-chamber*, the *High Commission-Courts*, to regulate the *Council-Table*, and to apply any Remedies have bin proposed to Vs for that disease? And have not these men doubled those pressures, in the latitude and unlimitedness of their proceeding, in their Orders for the observation of the Law as they pretend, and their punishing men for not obeying those Orders in a way and degree the Law doth not prescribe; in their sending for Our good Subjects upon generall Informations without proof, and for offences which the Law takes no notice of; in declaring men Enemies to the Common-wealth, fining and imprisoning them, for doing or not doing that, which no known Law enjoyns or condemnes? Were the Pursuivants of the *Counc. l-Table*, the delay and attendance there, or at the *High-Commission-Court*, the Judgements and Decrees of the *Star-Chamber*, more grievous, grievous to more persons, more chargeable, more intolerable, then the Serjeants and Officers fees, the attendance upon the Houses, and upon Committees, or then the Votes and Judgements which have lately passed in one or both Houses? Let all the Decrees, Sentences and Judgements of the *High-Commission-Court* and *Star-Chamber* be examined, and any found so unjust, so illegall, as the proceedings against the Gentlemen of *Kent*, for preparing and presenting a Petition agreeable in forme and matter to all the Rules of Law and Justice, by which men are to be informed to ask any thing; as the judgement against *M. Bynion*, that he should be disfranchised, be incapable of ever bearing Office in the Common-weale, imprisoned in the Goal of *Colchester* for the space of two yeeres, and to pay 3000 pound fine, nothing being charged and proved against him that any Law or Reason could tell him that he was not to do: though the sentences in the other Courts were in some Cases too severe, and exceeded the measure of the offence, there was still an offence, somewhat done that in truth was a crime; but here Declarations, Votes, and Judgements passe upon Our people, for matters not suspected to be crimes till they are punished. And have such proceedings ever beene before this Parliament? If Monopolies have been granted, to the prejudice of Our people, the Calamity will not be lesse, if it be exercised by a good Lord, by a Bill, then it was before by a Patent. And yet the Earl of *Warwick* thinks fit to require the Letter-office to be confirmed to him for three lives, at the same time that 'tis complained of as a Monopoly, and without the alteration of any circumstance, for the ease of the Subject; and this with so much greediness and authority, that whilst it was complained of as a Monopoly, he procured an Assignement to bee

made of it to him from the person complained of, after hee had by his interest stopped the proceedings of the Committee for the space of five moneths, before that Assignment made to him, upon pretence that he was concerned in it, and desired to be heard : of such Sovereigne Power was his name, as if it could be no longer a grievance to Our People, if it might prove an advantage to him. A president very likely to be followed in many Monopolies, if they may be assigned to principall Members, or their friends, witnesse the connivence now given to Sir *John Meldrum* for his Lights, since his undertaking their service at *Hull*. Have partiality and corruption in Judges obstructed the course of Justice? Was there ever such partiality and corruption, when their fellow-members of either House are by them importuned and solicited for their Votes in Causes before them, and no other measure or rule to the Justice of that Faction then the opinions of the persons contending? What summes of money have bin given to, and what contracts have bin made with some Members of either House who are of this powerfull Faction We complain of, for preserving this man from being questioned, and promoting an Accusation against that man, for managing such a cause, and procuring such an Order, Wee are very well able to give particular information; which We shall willingly do, when there may be such a sober and secure debate as becomes the dignity and freedome of Parliament, and the witnesses, now within their reach, may neither be awed, nor tampered with, before Triall; for how little care there is taken for discoveries of this nature, appears by that which (upon a complaint of a slander against *M. Pim*) was justified, and the Authour averred against him, for taking thirty pound Bribe to preserve a Papist from Legall prosecution, which hath bin so long suffered to sleep at a Committee.

Our case is truly stated, so truly, that there is scarce any particular urged or alledged by Us which is not knowne to many, and the most to all men : And must Our Condition be now irreparable? Are the injuries committed against Us and the Law justifiable? And must Wee be censured for using all possible means to be freed from them, or to be repaired for them, because they seeme to carry the consent and authority of both Our Houses of Parliament? There is not a particular of which We complain, that found not eminent opposition in both Houses, and yet for the most part not above a Moity of either House present. The Order of the ninth of *September* (an Order to suspend the execution of Laws in force) passed, when there were not above eighty Commoners (of which many dissatisfied) and but twenty Lords, whereof eleven (the major part) exprelly contradicted it : The first unseasonable Remonstrance (the fountain from whence all the present mischiefs have flowed) was carried but by eleven Voices after fifteen houres sitting, when above two hundred were absent, and was never approved by the Lords : The businesse of the *Militia* was at least

least twice rejected by double their number in the House of Peers, who consented to it, there being no Popish Lord present, and twelve Bishops in the Tower, and yet this proposed again, the House being made thin of those Lords who had formerly opposed it, who went out immediately (it being their usuall course to watch such opportunities to effect their businesse) after Master *Hollis* his threats, and then carried.

The Declaration against Us sent to *Newmarket* was carried but by one Voice in the House of Peers, and by a small number in the House of Commons: The justifying Sir *John Hotham* in his Act of High Treason, was opposed by many persons of great worth, though neither House had half its number: And We are very far from censuring all those persons who concurred in these or any other particulars; We believe very many of them stood not in so cleere a light to discern the guilt, malice, ambition, or subtilty of their Seducers; but if in truth there were a consent intirely in both Houses of Parliament (as Wee are most assured there will never bee) to alter the whole frame of Government, must wee submit to those Resolutions, and must not Our Subjects helpe and assist Us in the defence of Lawes and Government established, because they doe not like them? Did Wee intend when We called them to that great Councell, or did Our Subjects intend when they sent them thither in their behalves, that they should alter the whole frame of Government, according to their own fancies and ambition; and possesse those places during their lives? VVhat Our opinion and resolution is concerning Parliaments, Wee have fully expressed in Our Declarations; VVee have said, and will still say, they are so essentiall a part of the Constitution of this Kingdome, that We can attaine to no happinesse without them, nor will VVee ever make the least attempt (in Our thought) against them. VVee well know that Our Selfe and Our two Houses make up the Parliament, and that VVee are like *Hippocrates* Twins, VVe must laugh and cry, live and die together, that no man can be a friend to the one, and an enemy to the other; the injustice, injury, and violence offered to Parliaments is that which We principally complain of: And we again assure all Our good Subjects in the presence of Almighty God, that all the Acts passed by Us this Parliament shall be equally observed by Vs, as wee desire those to bee which doe most concerne Our Rights, Our Quarrell is not against the Parliament but against particular men, who first made the wounds, and will not now suffer them to be healed, but make them deeper, and wider, by contriving, fostering, and fomenting mistakes and jealousies betwixt body and head, Us and Our two Houses of Parliament, whom Wee name, and are ready to prove them guilty of High Treason: VVee desire that the Lord *Kimbolton*, Master *Hollis*, Master *Pym*,
Ma-

Master *Hampden*, Sir *Arthur Haslerigge*, Master *Strode*, Master *Martin*, Sir *Henry Ludlow*, Alderman *Pennington*, and Captaine *Venne* may be delivered into the hands of Justice, to be tryed by their Peers, according to the knowne Lawes of the Land; If Wee doe not prove them guilty of High Treason, they will be acquitted, and their Innocence will justly triumph over Us. Against the Earle of *Warwick*, the Earle of *Essex*, Earle of *Stamford*, Lord *Brook*, Sir *John Hotham*, Serjeant Major Generall *Skippon*, and those who shall hence-forth exercise the *Militia* by vertue of the Ordinance, We shall cause Indictments to be drawn of High Treason upon the Statute of the 25 year of King *Edward* the Third; Let them submit to their Triall appointed by Law, and plead their Ordinances; if they shall be acquitted, Wee have done. And that all Our loving Subjects may know, that in truth nothing but the Preservation of the true Protestant Religion, invaded by Brownisme, Anabaptisme, and Libertinisme, the safety of Our Person threatned and conspired against by Rebellion and Treason, the Law of the Land, and Liberty of the Subject oppressed and almost destroyed by an usurped, unlimited, Arbitrary power, and the Freedome, Priviledge and Dignity of Parliament awed and insulted upon by Force and Tumults, could make Us put off Our long-lov'd Robe of Peace, and take up defensive Armes. Wee once more offer a free and a gracious pardon to all Our loving Subjects who shall desire the same (except the persons before named) and shall be as glad with safety and honour to lay downe these Armes, as of the greatest blessing Wee are capable of in this World. But if to justifie these Actions and these Persons, Our Subjects shall think fit to engage themselves in a War against Us, Wee must not looke upon it as an Act of Our Parliament, but as a Rebellion against Us and the Law in the behalfe of these men, and shall proceed for the suppressing it with the same Conscience and Courage, as Wee would meet an Army of

Rebels, who endeavour to destroy both King and People; and

Wee will never doubt to finde honest men
enow of Our minds.

FINIS.

The true Copy of the Petition prepared by the Officers
of the late Army, and subscribed by His
Majesty, with C. R.

To the Kings most Excellent Majesty, the Lords Spirituall and Temporall,
the Knights, Citizens, and Burgessees now Assembled in
the High Court of Parliament.

The humble Petition of the Officers, and Souldiers of the Army

Humbly sheweth,

THat although our wants have beene very pressing, and the burthen wee are become unto these parts (by Reason of those wants) very grievous unto us, yet so have we demeaned our selves, that your Majesties great and weighty Affairs in this present Parliament, have hitherto received no interruption by any Complaint, either from us or against us: A temper not usuall in Armies (especially in one destitute not onely of pay, but also of Martiall Discipline, and many of its principall Officers) that wee cannot but attribute it to a particular blessing of Almighty God, on our most hearty affections and zeal to the Common good in the happy successe of this Parliament, to which as we should have been ready hourly to contribute our dearest blood, so now that it hath pleased God to manifest his blessing so manifestly therein, We cannot but acknowledge it with thankfulness. We cannot but acknowledge his great mercy in that he hath inclined your Majesties Royall heart so to co-operate with the wisdom of the Parliament, as to effect so great and happy a Reformation, upon the former distempers of this Church and Common-wealth; as first in your Majesties gracious condescending to the many important demands of our Neighbours of the *Scottish Nation*: Secondly, in granting so free a course of Justice against all Delinquents, of what quality soever: Thirdly, in the removall of all those grievances wherewith the Subjects did conceive either their Liberty of Persons, Propriety of Estate, or Freedom of Conscience prejudiced: And lastly, in the greatest pledge of security that ever the Subjects of *England* received from their Sovereigne, the Bill of Trienniall Parliament. These things so graciously accorded unto by your Majesty, without bargain or compensation, as they are more then expectation or hope could extend unto, so now certainly they are such as all loyall hearts ought to requiesse in with thankfulness, which Wee doe with all humility, and doe at this time with as much earnestnesse, as any, pray and wish, That the Kingdom may be seled in peace and quietnesse, and that all men may, at their owne homes, enjoy the blessed fruits of your Wisdome and Justice. But may it please your Excellent

Majesty, and this High Court of Parliament, to give us leave with griefe and anguish of heart, to represent unto you, that wee heare that there are certaine persons stirring & practicall, who in stead of rendring glory to God, thanks to his Majesty, & acknowledgment to the Parliament, remayn yet as unsatisfied and mutinous as ever; who whilest all the rest of the Kingdom are arrived even beyond their wishes, are daily forging new and unseasonable demands: who whilest all men of Reason, Loyalty and Moderation are thinking how they may provide for your Majesties Honour and Plenty, in return of so many graces to the Subject, they are still attempting new Diminutions of your Majesties just Regalities, which must ever be no lesse deare to all honest men, then our own freedoms: In fine, men of such turbulent spirits as are ready to sacrifice the honour and welfare of the whole Kingdom to their private fancies (whom nothing else then a subversion of the whole frame of Government will satisfy.) Far be it from our thoughts to believe that the violence and unreasonablenesse of such kinde of persons can have any influence upon the Prudence and Justice of the Parliament. But that which begets the trouble and disquiet of our loyall hearts at this present, is, That wee heare those ill-affected persons are backed in their violence by the Multitude, and the power of raising Tumults, that thousands flocke at their call, and beset the Parliament (and *Whitehall* it selfe) not onely to the prejudice of that freedome which is necessary to great Counsels and Judicatories, but possibly to some personall danger of your Sacred Majesty and Peers. The vast consequence of these persons Maliginity, and of the licentiousnesse of those multitudes that follow them considered, in most deep care and zealous affection for the safety of your Sacred Majesty and the Parliament, our humble Petition is, That in your Wisdoms, you would be pleased to remove such Dangers, by punishing the Ring-leaders of these Tumults, that your Majesty, and the Parliament may be secured from such insolencies hereafter: For the suppressing of which, in all humility we offer our selves to wait upon you (if you please) hoping wee shall appeare as considerable in the way of Defence to our gracious Sovereigne, the Parliament, our Religion, and the established Lawes of the Kingdom, as what number soever shall audaciously presume to violate them. So shall we by the wisdom of your Majesty, and the Parliament, not onely be vindicated from precedent Innovations, but be secured from the future, that are threatned, and likely to produce more dangerous effects then the former.

And we shall pray, &c.

FINIS.

Two Orders of the Lords and Commons Assembled in Parliament.

Die Jovis, *August* 18, 1642.

IT is this day Ordered by the Lords and Commons in Parliament assembled, that the severall Lord Lieutenants appointed by Parliament, their Deputy Lieutenants, the Iustices of the Peace, and other his Majesties Officers within the Kingdome of England and Dominion of Wales, shall take speciall care to prevent and suppress all Riots, Tumults, breaking into, or Robbing houses, breaking into Churches, taking away of the Goods of any person, or taking of Vintuals, without due payment for the same, and to take and apprehend all such person or persons as shall doe or commit any such Outrages as aforesaid, and to proceed against them according to Law. And it is further Ordered, that the Commanders and severall Officers, shall give their best assistance for the apprehension and punishment of all such persons which shall be found guilty of the misdemeanors aforesaid.

VHereas there have been divers Complaints made unto us of many disorders committed by the Souldiers in their marching and in such places wherein they have been quartered or Billited, which disorders (as is informed) have been partly occasioned by the neglect of their Officers to goe along with them and Conduct them: It is therefore Ordered by the Lords and Commons Assembled in Parliament, that the Lord Generall bee desired to give Command to all his Officers, that they take care to attend according to the Duty of their severall places, that the Souldiers thereby may be hereafter kept from stragling up and down the Countreies: And to that end to lay his Command upon the Officers of each Company, both in the Marching, Quartering, and Billetting, to be in Person amongst the Souldiers themselves, to prevent any disorders whatsoever, and punish such as shall offend.

Ordred by the Lords and Commons assembled in Parliament, that these Orders be forthwith printed and published,

John Browne Cleric, Parliamentorum.

His Majesties Message to the House of Commons,

From the Court at York, the thirteenth

of August, 1642.

His Majesty taking notice of an Order lately made by the House of Commons, whereby that House hath unduly assumed to themselves Authority to order, direct, and dispose of one hundred thousand pounds, part of those Moneys which the Adventurers for the redressing of the Rebels of *Ireland* have paid to that end onely to that purpose, To other uses and intents contrary

trary to the expresse words of the Act of Parliament concerning the same; Wherein it is enacted, That no part of the Money which should be paid in according to that Act, shall be employed to any other purpose, then the reducing of those Rebels, untill they shall be declared to be subdued, out of His Piety and Princely care for the confirming and re-establishment of Gods true Religion in that His Kingdome of *Ireland*; For the reliefe of His distressed Subjects there, for the suppressing of that horrid and bloody Rebellion, for the supply and payment of His Armies there, now in great want and necessity; Doth strictly require the House of Commons, as they will answer the contrary to Almighty God, His Majesty, and those that have trusted them, That they immediately retract that mischievous, Illegal and unjust Order, wherein His Majesty expecteth their speedy Answer and Obedience; And the rather that hee may thereby be secured, that such part of the foure hundred thousand pounds as is or shall be collected from His good Subjects of *England*, by vertue of the late Act of Parliament, whereby the same is granted, may not likewise (under false pretences) be diverted from its proper use, for which it was intended, and mis- employed to the disturbance of the Peace of this Kingdome in a War against His Sacred Majesty.

*The Answer of the House of Commons to His
Majesties Message.*

THe House of Commons having received a Message from His Majesty of the thirteenth of *August* last, whereby they are required to retract an Order made by them for the borrowing of one hundred thousand pounds of the Adventurers Mony for *Ireland*, supposing that Order very prejudiciall to the Affairs of *Ireland*, and contrary to an Act of Parliament made this present Session; Do in the first place declare, That these directions given by His Majesty for the retracting of this Order, is an high breach of Priviledge of Parliament. And that they cannot without a deep sence of sorrow, call to mind how Popish and Prelaticall Counsels did so far prevail with His Majesty, that two Armies were brought within the bowels of this Kingdome, and two Protestant Nations ready to welter in each others blood; That when both those Armies had been a long time defrayed at the charge of the poor Commons of *England*, and at length by Gods blessing upon the endeavours of the Parliament quietly disbanded, the same wicked Counsels (prevented of that designe) did soone after raise this bloody and barbarous Rebellion in *Ireland*: The suppressing whereof (for the better colour) was recommended to the care of the Parliament; who, out of a fellow-feeling of the unspeakable miseries of their Protestant Brethren there

there (not suspecting this horrid Plot, now too apparant) did cheerfully undertake that great work, and do really intend and indeavour to settle the Protestant Religion, and a permanent Peace in that Realm, to the glory of God, and the great honour and profit of His Majesty and security of His three Kingdoms: But how they have been discouraged, retarded, and diverted in and from this pious and glorious worke, by those Traiterous Counsels about His Majesty, will appear by many particulars, some whereof they shall upon this just occasion call to remembrance.

That when the Lords and Commons had upon the first breaking out of the Rebellion, immediatly provided and sent over twenty thousand pounds, and ingaged themselves and the whole Kingdome for the reducing of the Rebels: Yet His Majesty after His return from *Scotland* to *London*, was not either pleased by Word or Message to take notice of it, untill after some in the House of Commons had truly observed how forward those mischievous-Counsellours were to incite His Majesty against His Protestant Subjects of *Scotland* & how slow to resent the proceeding of His Papiist Traitors in *Ireland*.

That although the Rebels had most impudently styled themselves, *The Queens Army*; and profest that the cause of their rising was, to mayntaine the Kings Prerogative, and the Queens Religion, against the Puritan Parliament of *England*; And that thereupon both Houses of Parliament did humbly and earnestly advice His Majesty to wipe away this dangerous scandall, by proclaiming them Rebels and Traitors to His Majesty, and the Crowne of *England*, which then would have mated and weakned the Conspiratours: in the beginning; and have encouraged both the Parliaments here, and good people there, the more vigorously to have opposed their proceedings: Yet such was the power of those Counsels, that no Proclamation was set forth to that purpose, till almost three Moneths after the breaking out of this Rebellion, and then command given, that but forty should be Printed, nor they published till further directions should be given by His Majesty.

That after both Houses of Parliament had found out a probable way to reduce the Kingdome of *Ireland*, by the Adventure of private men: without any charge to the Subject in generall, and which they are very confident would have brought in a Million of Money (had his Majesty continued in or neere *London*) those malicious Whisperers, that durst not hinder the passing of the Bill, which was so specious in it self, and so generally approved: Yet have by practice, by drawing His Majesty from His Parliament, by keeping Him at this distance, and advising Him to make war upon His people, so intimidated and discouraged the Adventurers and others that would have adventured, that they have rendred that good Bill in a manner ineffectuall.

That the Parliament and Adventurers had long since designed five thousand

foot, and five hundred horse for the relief of *Munster*, to be sent as a Brigade, under the command of the Lord *Wharton*; had made choice and listed all the Commanders, and prepared Money, Armes, and other Provision for that Expedition, and all to bee at the charge of the Adventurers: And when nothing was wanting but a Commission to the Lord *Wharton*, to enable him for that service, such was the power of those Counsels, that no Commission could bee obtained from His Majesty; by reason whereof *Lymrick* was wholly lost, and the Province *Munster* is now in very great distresse.

That when divers pious and well affected persons had prepared twelve Ships, and six Pinnaces, with a thousand or more Land-forces, at their own charge, by way of Adventure for the service of *Ireland*, and desired nothing but a Commission from His Majesty to enable them thereunto, that Commission, after twice sending to *Yorke* for the same, and the Ships lying ready to set sail for three weeks together, at the charge of neer three hundred pound a day, was likewise denied; and those Adventurers (rather then to lose their Expedition) were constrained to go by vertue of an Ordinance of both houses of Parliament.

That although the Lords Justices of *Ireland* have three moneths since earnestly desired to have two Peeces of Battery sent over, as very necessary for that service, yet such commands are given to the Officers of the Tower, that none of His Majesties Ordnance must be sent to save his Majesties Kingdom.

That although whilst the Earle of *Leicester* stayed here in the Service of the Parliament, and in providing for his long-expected Voyage into *Ireland*, a Message was sent to the Parliament from his Majesty to hasten him away, and Letters were written to the said Earle from his Majesty, that hee should make no stay at *Yorke* for his dispatch, but that his Instructions should be ready for him against he came: And although it is notoriously knowne, That the Affairs of *Ireland* do exceedingly suffer by wanting the personall assistance of a Commander in chief, to give both life and motion to the Army there; yet the said Earle hath been stayed with his Majesty in the North a moneth and more, and as yet can get no dispatch.

That notwithstanding the bleeding condition of *Ireland*, yet divers Commanders and Officers in pay, and in actuall employment there against the Rebels, have been called away from that important Service, by the expresse command of his Majesty, as *Charles Floyd* Engineer and Quarter-master Generall of the Army in *Ireland*, and divers others,

That Captain *Green* Comptroller of the Artillery, a man in pay, and principally employed and trusted here by the Lord Lievtenant of *Ireland*, for
the

the providing and ordering the Traine of Artillery which was to be sent to *Dublin*, and who had received great Summes of Money for that purpose, was commanded from that employment and trust, to serve his Majesty in this most unnaturall War against his loyall and best-affected people,

That the Parliament having made great provision of clothes for the poore Souldiers in *Ireland* for their present succour, and sending six hundred suits, part thereof towards *Chester* the last Weeke, the man that undertooke the carriage of them, one *William Whitaker* by name, was assaulted by His Majesties Cavaliers, then lying about *Coventry*, who tooke away these six hundred suits of clothes, and the Waggon and horses of the poore man, although they were told that the six hundred suits of clothes were for the Souldiers in *Ireland*; and notwithstanding the poore Carryer was five times with the Earle of *Northampton*, to beg a Release of his Waggon.

That three hundred suits of clothes, with a Chyrurgions Chest of Medicaments, being likewise sent for *Ireland* by one *Richard Omefield*, who was employed by the Parliament to carry them to *Chester*, a Troop of His Majesties Cavaliers, under command of one Captaine *Middleton*, met with them upon the Road, and tooke away the clothes, and Chyrurgions Chest, together with the poore Carryers horses and Waggon, for His Majesties pretended service here.

That a great number of Draught-horses prepared by the Parliament for the Artillery and Baggage of the *Irish* Army, were sent to *Chester* for that purpose, and being there, attending a Passage, are now required by his Majesty, for his said present service in *England*.

That his Majesties Forces are so Quartered in an about the common Roads to *Ireland*, that neither Money, Clothes, Viſuals, or other Provision; can passe thither by Land with any safety.

That Captain *Kesleby* the Admirall, and Sir *Henry Stradling* the Vice-admirall of the Ships which were directly to lye upon the Coast of *Ireland* to annoy the Rebels, and to prevent the bringing to them Ammunition and Reliefe from Forreign parts, are both called away from that employment by his Majesties command, and by reason of their departure from the Coast of *Munster*, to which they were designed, the Rebels there have received powder, Ammunition, and other Relief from Forreign parts; by which, and many other particulars too long to relate, it may seeme, as if those Barbarous *Irish* Rebels are kept on foot and countenanced there, of designe to assist the Northerne Cavaliers, and according to the Earle of *Siraffords* un-heard of advice, to have an Army in *Ireland* with which his Majesty may reduce this Kingdome, especially considering those confident Rebels have presumed, very lately, to send a Petition to his Majesty,

in-

intituling themselves His Majesties Catholick Subjects of *Ireland*, and complaining of the *Puritan Parliament of England*, and desiring, that since His Majesty comes not thither according to their expectation, that they may come into *England* to His Majesty; which Petition wee may justly feare, is but a Prologue to that Tragedy they have designed to act here, in case their coming over be not prevented by the care and vigilancy of the Parliament and good people of *England*. But lest the House of Commons might seeme to excuse the making of this Order by a way of Recrimination, They, for satisfaction to the World, doe protest before Almighty God (the searcher of all hearts.) That they have as great compassion and sorrow for the present sufferings of their distressed brethren in *Ireland*, as if themselves were in their case (into which they are confident those horrid Traitors, those Monsters of men about His Majesty do labour to bring this Kingdome.) That they have, and shall ever really endeavour by all means possible (with a due regard to the present estate of this Kingdom) to supply and support them in this their great affliction, notwithstanding the malice and obstructions of all opposers.

That the House of Commons lively apprehending the imminent danger of this Kingdom, and finding that whilst they were active here to subdue the Rebels of *Ireland*, there were Papists, Traitours and Delinquents more active in the North, to conquer and destroy the Parliament and good people of *England*, Thought it necessary to provide for the safety of both, by preparing a competent Army for the defence of King^d & Kingdom. And although multitudes of wel-affected persons had cheerfully brought in great store of Plate for that purpose, yet in regard the Plate could not be coyned with such expedition as the Importance of the service did require, and well knowing that one hundred thousand pounds might for a short time be borrowed out of the Adventurers Money for *Ireland*, without any prejudice to the Affaires of that Kingdome, whose subsistence depends upon the wel-fare of this, and resolving to make a reall and speedy re-payment of what Money should be so borrowed, did make this Order; which that it might appeare to all the World to be neither mischievous, illegall nor unjust (as His Majesty by the infligation of those Malignant Whisperers is pleased to tearm it) the House of Commons thought fit to recite it in *hac verba*; and in stead of retracting the Order, to repay the Money with all possible speed.

The 30 of July, 1642.

IT is this day ordered by the Commons House of Parliament, That the Treasurers appointed to receive the Moneys come in upon the Subscriptions for *Ireland*, doe forth-

forthwith furnish by way of Loan, unto the Committee of the Lords and Commons, for the defence of the Kingdome, the sum of one hundred thousand pounds, for the supply of the publicke necessity, for the defence of the King, Parliament, and Kingdome, upon the publicke Faith, to be re-paid duly and carefully within so short a time, that it shall not be diverted from the purpose for which it was intended, or any way frustrate the Acts already made in the behalfe of that Adventure.

BY which Order, and that which hath been here truly set down, it will easily appeare to all the indifferent people of His Majesties three Kingdoms, whether the King and His Cavaliers, or the King and His Parliament do most affect and endeavour the feeling of true Religion, and a firm and constant peace within that bleeding and distressed Kingdome.

Ordered by the Commons in Parliament; That this Messlage and Answer bee forthwith Printed and published.

Hen. Elfinge Cler. Parl. D. Com.

FINIS.

The Advice and Direction of both Houses of Parliament, to Sir William Brereton, and to the rest of the Deputy Lieutenants, for the Countie of Chester.

VV Hereas it doth appeare to the Lords and Commons in Parliament now assembled, that the King seduced by wicked Counsell, intends to make War against the Parliament, and for that it is not improbable that under colour of a guard for his Majesties person, or some other pretences, the Knights, Gentlemen, Freeholders, and Inhabitants of the County of Chester, may be drawne together, therefore you and every of you, shall take speciall care that the Ordinance concerning the Militia be put in execution through the whole County; and the Sheriffe, and all other Officers are hereby moved to assist you, and every of you therein; and if any person whatsoever shall leave or endeavour to leave any Souldiers, or draw, or keepe together the Trained bands, or other armed Forces of the said County, or any other Force, by colour or pretence of any Commission or warrant from his Majestie, under the great Scale or otherwise, without Order or consent of both Houses of Parliament, you, and every of you, shall in the name and authority of both Houses, require and command all persons to forbear the execution of such Commission or warrant, and the same to be delivered up to you, or any of you, to be sent to the Speaker of the house of Commons, and you, and every of you, shall require and command all his Majesties Subjects,

Subjects, to forbear to obey any such warrant or Commission, and you, and every of you, are hereby required to draw together such of the trained Bands and other forces of the said County, as shall be expedient for the suppressing of all such Assemblies, and for apprehending of all or any person or persons as shall after admonition and command by you, or any of you, made unto them to forbear the execution of any such command or warrant, or the calling or gathering of, or keeping together any such forces or assemblies, still persist in doing the same, and likewise such disaffected persons as shall be found raising any parties or forces against the Parliament, to be sent up hither to answer such their offences as to Law and Justice shall appertain; and you the above-said Sir *William Brereton*, shall in the names of the Lords and Commons, require and command the Sheriffe of the County of *Chester*, to publish throughout the said County, the Declarations formerly Printed by both houses of Parliament, and you, and every of you, shall further take care that such Resolutions, and Orders of both Houses (as have been, or shall be delivered, and sent downe to you, or any of you) be put in execution, and shall require the Sheriffe and Justices of the peace, and all other his Majesties Officers and Lieutenants, to be aiding and assisting to you for that purpose; and you shall declare unto all men, that it hath been, and still shall be the care and endeavour of both houses of Parliament to provide for his Majesties safety. That they do not nor ever did know of any evil intended to his Majesties person, which might move him to require any extraordinary armed guard, that his greatest safety is in the Parliament, and his greatest danger in withdrawing himselfe from them; To that under colour of doing him service, disaffected and malignant persons, obnoxious for their bad counsels against the Justice of the Law, labour to raise forces and a party, against the Parliament, which at the last may breake out into open Rebellion and civill war, to the destruction both of King and Kingdom, you the said Sir *William Brereton*, and every of you, shall endeavour to cleere the proceedings of Parliament from all imputation and aspersions and shall from time to time certifie so of all things which you conceive necessary for the present service, and that we may have a sudden warning of it, and that our directions to you as well as your advertisements to us may have a cleare and ready passage, you and every of you, shall lay a strict charge upon all post-masters, that they doe not suffer any Letter or other dispatches, to or from the Parliament to be intercepted or stayd; and if any shall presume to make stay of such dispatches, you and every of you, shall direct the post-masters to repaire to the Justices of the peace, Constables, and all other Officers, for their ayd and assistance, who are hereby required to take a speciall care that there may be no such interruptions.

You and every of you, shall take care that none of the Recusants Armes or

other Ammunition of the said County, be carried or taken out of the County upon any pretence or command whatsoever, without warrant of both Houses of Parliament.

And you and every of you, shall give order and direction to the Sheriffes, Justices of the peace and other Officers, to require and command all the popish Recusants in that County, to confine themselves to their dwellings, according to the Statute in that case provided, and if any such Recusant shall be found to transgresse therein, you and every of you, shall cause the Justices of the peace forthwith to bind them to their good behaviour, and upon refusall or neglect to give securitie accordingly, to commit them to prison, and further to proceed against them according to the Law.

You shall also in the name of both Houses of Parliament, require all such persons who have in their custody any part of the publicke Magazine of your County, to deliver the same unto you or some of you, to be employed for the service of the said County.

And you and every of you, are likewise to give charge from both Houses of Parliament, to all Captaines and Lieutenants, and other Officers of the *Militia*, that they be observant to such directions as they shall from time to time receive from the Lieutnant of the County or his Deputies, or any of them, for due performance of any commands of the said houses.

And you and every of you, shall resist and repell, and are hereby authorized to resist and repell by the power of the said County, and by all other wayes and meanes, all such force and violence as shall be raised or brought by any person or persons to the hindrance or disturbance of the said service, or for the Arresting or seizing the persons of you, or any of you, or of any other that shall be employed in the Ordinances, instructions, and commands of both Houses of Parliament, for any thing done in execution thereof, and the Sheriffe, and the Justices of peace of the said County, and all other Officers and Subjects are hereby injoynd to be ayding and assisting to you and every of you, for the more better and speedier execution of the premises.

And the Lords and Commons doe hereby declare, that they will protect, defend and assist, all manner of persons for such actions as they shall performe in pursuance of these instructions and other Orders and commands of the said Houses of Parliament.

Die Jovis, August 18. 1642.

Ordered by the Lords and Commons Assembled in Parliament, that these Orders be forthwith Printed and Published.

John Browne Cler. Parliamentor.

A Declaration of the Lords and Commons in Parliament, With some Directions to the Knights, Gentlemen, and other Inhabitants of Yorkshire, and the other Northerne Counties.

VVE the Lords and Commons in Parliament assembled, have perused and seriously considered a Letter sent from many of the principall Knights, Gentlemen, and other Inhabitants of the County of *Yorke*: directed to a worthy Knight of that County, being a Member of the House of Commons, and intended for information of both Houses of Parliament, concerning his Majesties purpose of raising his Standard at *Nottingham*, the present state of the Northern parts, and the growing mischiefs, and miseries like to over-whelm the whole Kingdom, by the great oppressions exercised upon his Majesties Subjects, there, and other unlawfull and dangerous counells, and proceedings of those, who under pretence of his Majesties Service, are laying the foundation of an Arbitrarie and Tyrannicall Government, or rather confusion and dissolution, not only in those parts, but in the whole Kingdome: upon which and other informations and discoveries, wee thinke fit to publish and declare some few observations, whereby the good Subjects of this Kingdome may better discern their own danger, and be stirred up with more earnestnesse, to assist us in the Maintenance of Religion, and of the common Justice and Liberty of the Kingdome, which seems to be in no lesse hazard, then if we had an Army of the *Irish* Rebels in the bowels of the Land.

The first Observation is this, that now it plainly appears to the World, that there was good ground of those Feares and Jealousies so often expressed by both Houses. That His Majesty intended to make War against his Parliament: and that the many Oaths, protestation, and Execrations published in his Majesties Name, disclayming any such purpose of War, were nothing but the devises of those wicked Councillors about him, that under such disguises and pretentions of Peace, they might more closely Arme and prepare themselves for War; and by violence to suppress the Parliament, and so to make way for the accomplishment of their owne designs for the alteration of Religion, and the Government of the Kingdom.

The second; that this Warre is said to bee for the Defence of the Protestant Religion, and yet the most diligent Assistants and Promoters of it are Papists, and that corrupt and superstitious part of the Clergy, that were running towards popery: wherein the papists are so fervent; that they not onely send in Horse and Armes, but the better to qualifie their persons for this present service, many heretofore constant Recusants doe now resort to Church, and take the oaths of supremacy and alleagiance, and with what affections they looke upon the reformed Religion, is evident in the speeches of those, who robbed

M. Marwoods house calling his wife protestant whore and puritane, who being a very vertuous Gentlewoman and of good quality, onely the hatred of Religion was it which provoked them to such ignominious language, which by those popish Cavaliers is prosecuted under the name of Round-head, as it hath beene by the prelatiack Clergy under the name of puritane.

A third that Armes were taken from the honest Gentlemen, Yeomen and Townsmen and put into the hands of such desperate persons as cannot live, but by rapine and spoyle.

A fourth, that notwithstanding all the vowes and protestations to governe by Law, which have beene disperied throughout the Kingdome to blind and deceive the people, The most mischievous principles of tyranny are practised that ever were invented, that is to disarm the middle sort of people, who are the body of the Kingdome, and to maintaine Souldiers by forced contribution, to create a provinciall government in the North, cleerely against the common Law, and the judgement given in this Parliament for taking away the Court at *York*, That the contrivers and instruments of these mischiefs, for their better strengthening in these designs, are about to joyne themselves in an association with other Counties, That directions are given that such as shall oppose, or not joyne with them, shall bee violently plundered and pillaged.

For the prevention of these growing evils, and mischiefs the Lords and Commons doe declare...

That all well-affectcd and good Subjects, who shall be plundered, pillaged, and suffer in their estates by any of the Cavaliers or other Forces raised without consent of Parliament, shall have full reparation of their damages out of the estates of those who have beene actors, and counsellors in such violences, and likewise out of the estates of all such persons in any part of the Kingdome whatsoever, who have withdrawne themselves to *York*, and shall persist to serve the King in this war against the Parliament, by any subscription, contribution, or otherwise have given assistance and countenance to the maintenance thereof.

That it shall be lawfull for any number of persons to Jojne together, and to defend themselves and others from Rapine and Force: And the Earle of *Essex* Lord Generall of the forces raised by the Lords and Commons, for the defence of Religion and Libertie, and for protection of the oppressed Subjects of this Kingdome, and Lieutenant of the County of *York*, is desired to grant such Commissions, for levying, leading, and conducting of forces in the Northern parts; as shall be thought requisite by his excellencie. And Sir *John Hotham* Governour of *Hull*, is required to give all kind of assistance, by the Garrison of the Towne, and by furnishing them with such powder, armes, and other Ammunition, as he can spare, And for the better enabling of them in this their necessary defence.

It is resolved that further supplies of Armes shall be sent thither as speedily as may be.

That the Sheriffe of the Countie of *Yorke*, and the Sheriffes of the adjoyning Counties, and all Lieutenants, Deputy-Lieutenants, Majors, Justices of the peace, and others his Majesties Officers and loving Subjects, be ayding and assisting to them in defence of his Majesties Subjects from all Oppression and Violence with the power of the Counties and Trayned Bands.

That it shall be lawfull for all Lord-Lieutenants, Deputy-Lieutenants, Sheriffs, Majors, Bailiffs, and head Officers of Corporations to disarm all popish Recusants, and all other his Majesties Subjects to be assisting unto them, and that it shall be lawfull for any of his Majesties subjects to seize upon the persons of all such as shall execute the Illegal commission of Array, or shall bee Actors and assistants in any of the afore-mentioned oppressions and violences, or shall furnish any Horse, Armes, Money, and other Ayde or Contributions for the maintenance of this unnaturall Warre raised by His Majestie against His Parliament, and to seize upon their horses, Armes, Money, and other provisions, whereby they might bee inabled to disturbe the peace of the Kingdome.

FINIS.

A Declaration of the Lords, and Commons assembled in Parliament.

VV Hereas the King, seduced by wicked counsell, doth make War against His Parliament and people; And for the promoting of that Warre, divers Forces both of Horse and Foot have been, and are levyed and raised by severall persons, and His Majesties good Subjects are most cruelly robbed, spoiled, and slain:

To the end that no man may bee misled through Ignorance, the Lords and Commons in parliament declare, That all such persons as shall, upon any pretence whatsoever, assist His Majesty in this Warre, with Horse, Armes, plate or Money, are Traytors to His Majesty, the Parliament and the Kingdome, and shall be brought to condigne punishment for so high an offence.

Ordered by the Lords and Commons in Parliament, That this Declaration bee forthwith Printed and published.

Hen. Elsyng Cler. Parl. D. Com.

An Ordinance of the Lords and Commons in Parliament assembled; For the better observation of the Monthly F A S T.

VV Hereas the Kings most excellent Majesty, upon the request of the Lords and Commons in this present parliament assembled, and by and with their advice and consent, considering the lamentable and distressed condition of his good Subjects in the Kingdom of *Ireland*; (that there might be a generall humiliation of all the estates of this Kingdom before Almighty God in Fasting and Prayer) was graciously pleased to command the keeping of a Monthly Fast; and to the end that all persons might the better take notice thereof (and to leave such without excuse, as should not duly keep and observe the same) did afterward by his Proclamation of the 8th of *January* 1641. appoint that the same should bee generally, publikely, and solemnly holden, and kept, as well by abstinence from food, as by publique prayers, preaching, and hearing of the word of God, and other Religious, and holy duties, in all Cathedrals, Collegiate, and Parish Churches, and Chappels within the Kingdom of *England* and Dominion of *Wales* (without any exception) on the last Wednesday of every Moneth, to continue during the troubles in the said Kingdom of *Ireland*: All which his Majesty did straitly charge and command, should be reverently and devoutly performed by all his Subjects, as they desire the blessing of Almighty God, and would avoyd his heaveie indignation against this land and people; and upon paine of such punishments as may justly bee inflicted upon all such as shall contemne or neglect so religious a work and dutie.

And whereas the Lords and Commons in both Houses of Parliament, have received divers informations from severall parts of this Kingdome and Dominion of *Wales*, of the great neglect of the due observation and keeping of the said Fast upon the dayes appointed, and of the profanations of the same, by many irreligious, ill-affected, loose, and scandalous persons, as well of the Clergie as others, who are so farre from afflicting their soules, and loosing the bands of wickednesse, as that they provoke the wrath of Almighty God; and make so pious a meanes to procure his blessings, the occasion of greater Judgements.

For the prevention whereof for the time to come, the Lords and Commons doe order, declare, ordaine, that in all and every the Cathedrals, Collegiate and Parish Churches, and Chappels within the Kingdom of *England*; and Dominion of *Wales*, (without any exception) upon every Lords day, next and immediately before any the dayes appointed for the said publick Fast, the Parson, Vicar, Curate, or Minister, that upon that day shall Officiate, or exercise in any of the said Cathedrals, Collegiate, Parish Churches, or Chappels shall give publick notice in every of the said Cathedrals, Collegiate Parish Churches;

or Chappels, respectively, of the Fast day next ensuing, immediately after Sermon, or prayer ended in the forenoone before the Congregation bee dismissed, earnestly exhorting and perswading all the people to the solempne due keeping and religious obleruation of the whole day appointed for the said Fast, and that they would repaire to some Church or Chappell, there diligently and reverently to attend all such holy duties as shall be used in the obleruance of the same; that they forbear to use all manner of sports and pastimes whatsoever, and their ordinary Trades and Callings upon the said day as well Carriers, Waggoners, Carters, Waynmen, Drovers, Butchers, Hucksters, Shop-keepers, Labourers; or any others using any Art, Trade, Mystery or manuall Occupation whatsoever, and that all Vintners, Taverners, Alehouse-keepers, and Keepers of Victualling-houses, doe forbear to keep open their doores, Bulks, or Shops, or to sell or utter (except in cases of extreame necessitie) any Wine, Beare, Ale, or Victuall, till the publick exercises and religious duties of that day in the respective Cathedrals, Collegiate, Parish Churches and Chappels be past and over.

And lastly, all and every the Justices of the Peace, Mayors, Bayliffs, Constables, Church-Wardens, and other Officers inhabiting or residing within the limits or precincts of any such Cathedrall, Collegiate Parish Church, or Chappell, are hereby required to take speciall notice as well of such Parson, Vicar, Curate, or other Minister that ought to officiate in any of the said Cathedrals, Collegiate, and Parish Churches or Chappels, upon any such day appointed for the said Fast, that shall either refuse or neglect to do the same, or not do or cause the same to be done in that religious and solempn manner as it ought to be, or that shal refuse to give notice of the Fast day at the time and in manner as aforesaid, and forthwith to return their names, and the names of all such (from time to time) as shall wilfully offend herein, in contempt of the Laws, his Majesty, & both Houses of Parliament, unto some one or more of the Knights, Citizens, or Burgeses that serve for the County where such offence is, or shall be committed, that some speedy course may be taken for the severe punishing of such as shall offend herein according to the Lawes.

Die Mercurii 24 August 1642.

It is this day Ordered, that this Ordinance for the better observing of the Fast be forthwith printed and published.

Hen. Elsyngc Cler. Parl. D. Com.

F I N I S.

His Majesties gracious Message to both Houses of Parliament, sent from Nottingham, 25. Aug. 1642.

By the Earls of Southampton and Dorset, Sir John Culpeper Knight, Chancellor of the Exchequer, and Sir William Vvedall, Knight.

WE have with unspeakable grief of heart long beheld the distractions of this Our Kingdom ; Our very soul is full of anguish untill we may finde some remedy to prevent the miseries which are ready to overwhelm this whole Nation by a Civill Warre : And though all Our endeavours tending to the composing of those unhappy differences betwixt Us and Our two Houses of Parliament (though pursued by Us with all zeal and sincerity) have been hitherto without that Success we hoped for ; Yet such is Our constant and earnest care to preserve the publike Peace, that We shall not be discouraged from using any Expedient, which by the blessing of the God of Mercy may lay a firm foundation of Peace and Happinesse to all Our good Subjects : To this end observing that many Mistakes have arisen by the Messages, Petitions, and Answers betwixt Us and Our two Houses of Parliament, which happily may be prevented by some other way of Treaty, wherein the Matters in difference may be more cleerly understood, and more freely transacted ; We have thought fit to propound to you, That some fit persons may be by you enabled to treat with the like number to be authorized by Us, in such a manner, and with such freedom of Debate, as may best tend to that happy Conclusion, which all good men desire, *The Peace of the Kingdom* : Wherein as We promise in the Word of a King all safety and encouragement to such as shall be sent unto Us, if you shall choose the place where We are for the Treaty, which We wholly leave to you, presuming the like care of the safety of those We shall employ, if you shall name another place ; So We assure you and all Our good Subjects, That (to the best of Our understanding) nothing shall be therein wanting on Our part, which may advance the True Protestant Religion, Oppose Popery and Superstition, Secure the Law of the Land (upon which is built as well Our just Prerogative, as the Propriety and Liberty of the Subject) Confirm all just Power and Priviledges of Parliament, and render Us and Our People truly happy by a good Understanding betwixt Us and Our two Houses of Parliament. Bring with you as firm Resolutions to do your Duty, and let all our good People joyn with Us in Our prayers to Almighty God for his blessing upon this Work.

If this Proposition shall be rejected by you, We have done Our Duty so amply, that God will absolve Us from the Guilt of any of that blood which

must be spilt. And what opinion soever other Men may have of Our Power, We assure you nothing but Our Christian and Pious care to prevent the effusion of blood hath begot this Motion, Our provision of Men, Arms and Money being such as may secure Us from further violence, till it please God to open the eyes of Our People.

The Answer of the Lords and Commons to His Majesties Message of the 25 of August, 1642.

May it please Your Majesty :

THe Lords and Commons in Parliament assembled, having received Your Majesties Message of the 25 of *August*, do with much grief resent the dangerous and distracted state of this Kingdom, which we have by all means endeavoured to prevent, both by our severall Advices and Petitions to Your Majesty, which have been not onely without success, but there hath followed that, which no ill counsell in former times hath produced, or any Age hath seen, namely, Those severall Proclamations and Declarations against both the Houses of Parliament, whereby their Actions are declared Treasonable, and their Persons Traytors; And thereupon Your Majesty hath set up Your Standard against them, whereby You have put the two Houses of Parliament, and in them this whole Kingdom out of Your Protection; so that untill Your Majesty shall recall those Proclamations and Declarations, whereby the Earl of *Essex* and both Houses of Parliament, and their adherents and assistants, and such as have obeyed and executed their commands and directions, according to their duties, are declared Traytors, or otherwise Delinquents: And untill the Standard, set up in pursuance of the said Proclamations, be taken down, Your Majesty hath put us into such a condition, that whilst we so remain, we cannot by the fundamentall Priviledges of Parliament, The publike Trust reposed in us, Or with the generall good and safety of this Kingdom, give Your Majesty any other Answer to this Message.

*Jo. Browne, Cler. Parliament.
H. Elsynge, Cler. Parl. D. Com.*

His Majesties Instructions to His Commissioners of Array, for the severall Counties of England, and the Principality of Wales, And to be observed by all Sheriffs, Maiors, Justices of the Peace, Bayliffs, Headboroughs, Constables, and all other His Majesties loving Subjects whatsoever.

WHereas a desperate and dangerous Rebellion is raised, and an Army marching against Us, and such other of Our good Subjects whose loyalty and affection is eminent unto Us, in severall Counties of the Kingdom, under pretence of some Authority from both Our Houses of Parliament, and the same is done by Our consent, and for the safety of Our Person, whereby many of Our loving Subjects are misled and engaged in undutifull and disloyall Actions against Us their Sovereigne, and to oppose persons immediately authorized by Us, as disturbers of the Peace; We do, for the Information of all Our good Subjects, that they may be no longer corrupted or seduced by these false and damnable insinuations, declare, That We do disavow Our consent to any of the pretended Ordinances, and do protest against the same, and all the proceedings thereupon, as seditious and treasonable to Our Person, Crown, and Dignity; And do declare, That the Army now under the command of the Earl of *Essex*, and raised in any part of the Kingdom by his direction, or by the direction of any pretended Ordinance, is raised against Us, and to take away Our life from Us; And that he, and all who adhere to him, are Traytors by the known established Laws of this Kingdom: And therefore Our expresse Command to you, and to every of you is,

I. That you forthwith raise all possible Power for the apprehension of the said Earl of *Essex*, and his Confederates; And that with such Forces of Horse and Foot you shall fight with, kill, and slay all such as shall by force oppose you in the execution of these Our Commands, and such who shall presume to put the Ordinance of the *Militia* in execution against Our expresse pleasure and consent. And you shall pursue the said Rebels and Traytors in the said Counties, or in any other Counties or parts of the Kingdom into which they shall retire themselves. All which Forces, so to be raised, shall have the same pay as the rest of Our Army is to have.

II. You shall defend and protect all Our Subjects from violence and oppression by the illegall pretended Ordinance concerning the *Militia*, the pretended Ordinance for the Earl of *Essex* to be Generall, or any other Ordinance to which We have not, or shall not give Our consent. And shall

not suffer any of Our loving Subjects to be troubled or molested for refusing to submit to the said pretended Ordinances, but shall assist and defend them from any Summons, Messengers, Serjeant, or Warrant, which shall disturb them for the same. And the said Messengers or Serjeants you shall apprehend and commit to prison, as seditious Disturbers of the Peace of the Kingdom.

III. You shall, to your utmost power, assist the execution of Our Commission of Array, which ought to be obeyed by the known Laws of the Land; And if any factious or seditious persons shall raise any Power to oppose Our said legall Commission, or the execution thereof, you shall, in your severall Counties, levie men, and lead them out of your said Counties to the place where such Force is raised, and suppress the same. More especially, shall be ayding and assisting to the Lord Marquess *Hertford*, who is authorized, by Our Commission, Generall of Our Forces in the Western parts; And to the Earl of *Cumberland*, Our Lieutenant-Generall for the County of *York*; and to the Lord *Strange*, and Colonell *Goring*: And to that purpose you shall levie such other Forces of Horse and Foot as the said Marquess shall, by his Commission, give you power to do, under such Colonells, Commanders, and other Officers as shall be, by him, appointed or directed within the severall Counties mentioned in his Commission, as the Earl of *Cumberland*, and as the Lord *Strange* shall likewise direct in the Counties within their severall Commissions.

IV. Our expresse pleasure and Command is, That you disarm all Popish Recusants, and all such other dangerous and ill-affected persons, and Brownists, Anabaptists, and other Sectaries, as well Clergy-men, as others, as have testified, or shall testify their ill disposition to the Peace and Government of the Kingdom. And you shall endeavour, by causing Our severall Declarations, Messages and Answers to be publicly read in Churches and other places, to clear Our Proceedings from all false imputations and aspersions; and shall from time to time certifie Us of all things necessary for the publike Service. And that Our Directions to you, and your advertisements to Us may have a clear and ready passage, We do hereby command all Post-masters, That they do not suffer any Letters or other Dispatches, to or from Us, to be intercepted or stayed, as they will answer the contrary at their utmost perills. And if any bold person, by what Authority soever, shall presume to make such stay of those Dispatches, you shall apprehend such persons, and shall give all assistance, and protection to those persons employed in such Dispatches.

V. If you shall finde any dis-affected persons raising any parties against Us, spreading scandals or imputations on Our proceedings, like to disturb

the Peace of the Kingdom, you shall cause all such persons (upon good proofs of their misdemeanors) to be apprehended and committed to prison, till they shall answer their offences in such manner as is agreeable to Law and Justice.

VI. You shall take from the said Rebels and Traytors, and their Adherents, all Arms, Ordnance, and Ammunition; and such as they have taken from any of Our good Subjects, you shall restore again to the true Owners. And whereas divers seditious persons, under pretence of Commissions from the Earl of *Essex*, presume to levie Horse and Foot, and to collect Money for the same, you shall seize upon all Horses, Arms, Ammunition, Money, Plate, or other Provisions whatsoever, raised or provided under any such pretences, and without Our expresse Authority, for the fomenting, or maintaining any such unnaturall and unlawfull War against Us, the Religion, and Law of the Kingdom. And you shall assure all such Our well-affected Subjects, who shall contribute any Aid and Assistance to Us, in this Our great necessity, or observe these Our Instructions, That We will protect them with Our utmost Power, and venture Our Life, and Crown in their just Defence. Which Resolution of Ours, you shall publish and declare upon all occasions for the better encouragement of all Our good Subjects in that behalf.

Given under Our Privy Signet, at Our Court at Nottingham, the 29 of August, 1642.

His Majesties Reply to an Answer sent by the two Houses of Parliament, to His Majesties Message of the 25 of August, concerning a Treaty of Accommodation.

WE will not repeat what means We have used to prevent the dangerous and distracted estate of the Kingdom, nor how those means have been interpreted, because being desirous to avoid effusion of blood, We are willing to decline all memory of former bitterness that might Our offer of a Treaty lesse readily accepted.

We never did declare, nor ever intended to declare both Our Houses of Parliament Traytors, or set up Our Standard against them, and much lesse to put them and this Kingdom out of Our Protection; We utterly professe against it before God & the world. And further to remove all possible scruples which may hinder the Treaty so much desired by Us; We hereby promise, so that a day be appointed by you for the revoking of your Declarations

against all Persons as Traytors or otherwayes, for assisting Us, We shall with all cheerfulness upon the same day recall Our Proclamations and Declarations, and take down Our Standard: In which Treaty We shall be ready to grant any thing that shall be really for the good of Our Subjects; Conjuring you to consider the bleeding condition of *Ireland*, and the dangerous condition of *England*, in as high a degree as by these Our offers We have declared Our Self to do: And assuring you that Our chief desire in this world is to beget a good understanding and mutuall confidence betwixt Us and Our two Houses of Parliament.

To the Kings most Excellent Majesty:

The humble Answer and Petition of the Lords and Commons assembled in Parliament, unto the Kings last Message.

May it please Your Majesty:

IF we the Lords and Commons in Parliament assembled should repeat all the wayes we have taken, the endeavours we have used, and the expressions we have made unto Your Majesty to prevent those Distractions and Dangers Your Majesty speaks of, we should too much enlarge this Reply; therefore as we humbly, so shall we onely let Your Majesty know, That we cannot recede from our former Answer, for the Reasons therein expressed: For that Your Majesty hath not taken down Your Standard, recalled Your Proclamations and Declarations, whereby You have declared the Actions of both Houses of Parliament to be Treasonable, and their Persons Traytors, and You have published the same since Your Message of the 25 of *August*, by Your late Instructions sent to Your Commissioners of Array: Which Standard being taken down, and the Declarations, Proclamations, and Instructions recalled, if Your Majesty shall then upon this our humble Petition, leaving Your Forces, return unto your Parliament, and receive their faithfull Advice, Your Majesty will finde such Expressions of our fidelities and duties, as shall assure You, That Your Safety, Honour, and Greatnesse can onely be found in the Affections of Your People, and the sincere Counsels of Your Parliament, whose constant and undiicouraged endeavors and consultations have passed thorow difficulties unheard of, onely to secure Your Kindoms from the violent mischiefs and dangers now ready to fall upon them, and every part of them; who deserve better of Your Majesty, and can never allow themselves (representing likewise Your whole Kingdom) to be ballanced with those persons, whose desperate dispositions and counsels prevail still so to interrupt all our endeavours for the relieving of

bleeding

bleeding Ireland, as we may fear our labours and vast expences will be fruit-
 less to that distressed Kingdom. As Your presence is thus humbly desired
 by us, so it is in our hopes Your Majesty will in Your Reason believe, There
 is no other way then this to make Your Majesties self happy, and Your
 Kingdom safe.

John Brown, Cler. Parl.

*A Declaration of the Lords and Commons in Parliament, in Answer to
 His Majesties Message.*

W Hereas His Majesty in a Message received the fifth of September,
 requires that the Parliament would revoke their Declarations
 against such persons as have assisted His Majesty in this unnatu-
 rall War against His Kingdom: It is this day Ordered and Declared by the
 Lords and Commons, That the Arms which they have been forced to take
 up, and shall be forced to take up for the preservation of the Parliament, Re-
 ligion, the Laws and Liberties of the Kingdom, shall not be laid down, un-
 till His Majesty shall withdraw His Protection from such persons as have
 been voted by both Houses to be Delinquents, or that shall by both Houses
 be voted to be Delinquents, And shall leave them to the Justice of the Parli-
 ament, to be proceeded with according to their demerits; to the end, That
 both this, and succeeding Generations may take warning with what dan-
 ger they incur the like heynous crimes; And also to the end that those great
 charges and damages wherewithall the Common-wealth hath been bur-
 thened in the Premises, since His Majesties departure from the Parlia-
 ment, may be born by the Delinquents, and other malignant and dis-affect-
 ed persons: And that all His Majesties good and well-affected Subjects, who
 by Loan of Moneyes, or other wise at their charge have assisted the Com-
 mon-wealth, or shall in like manner hereafter assist the Common-wealth,
 in time of extreme danger, may be repayed all Sums of Money by them
 lent for those purposes, and be satisfied their charges so sustained, out of the
 Estates of the said Delinquents, and of the malignant and dis-affected party
 in this Kingdom.

*Ordered by the Lords and Commons in Parliament, That this De-
 claration be forthwith printed and published.*

H. Elsynge, Cler. Parl. D. Com.

His

His Majesties Message, in Reply to the Answer and humble Petition of both Houses of Parliament.

WE have taken most wayes, used most endeavours, and made most reall expressions to prevent the present Distractions and Dangers, let all the world judge, as well by former Passages, as by Our two last Messages, which have been so fruitlesse, That (though We have descended to desire and presse it) not so much as a Treaty can be obtained, unlesse We would denude Our Self of all Force to defend Us from a visible Strength marching against Us, and admit those Persons as Traytors to Us, who according to their Duty, their Oaths of Allegiance, and the Law, have appeared in defence of Us their King and Liege Lord (whom We are bound in Conscience and Honour to preserve) though We disclaimed all Our Proclamations and Declarations, and the erecting of Our Standard as against Our Parliament. All We have now left in Our Power is, To expresse the deep Sense We have of the publike misery of this Kingdom, in which is involved that of Our distressed Protestants of *Ireland*, and to apply our Self to Our necessary Defence, wherein We wholly rely upon the Providence of God, the Justice of Our Cause, and the Affection of Our good People, so far We are from putting them out of Our Protection. When you shall desire a Treaty of Us, We shall piously remember whose Blood is to be spilt in this Quarrell, and cheerfully embrace it. And as no other Reason induced Us to leave Our City of *London*, but that with Honour and Safety We could not stay there; nor raise any Force, but for the necessary defence of Our Person and the Law, against Leavies in opposition to both; so We shall suddenly and most willingly return to the one, and disband the other, as soon as those Causes shall be removed. The God of Heaven direct you, and in mercy divert those Judgements which hang over this Nation, and so deal with Us and Our Posterity, as We desire the Preservation and Advancement of the true Protestant Religion, The Law and the Liberty of the Subject, The just Rights of Parliament, and the Peace of the Kingdom.

To the Kings most Excellent Majesty :

The humble Answer of the Lords and Commons in Parliament assembled, to His Majesties last Message of the 11 of Sept. 1642.

May it please Your Majesty :

WE the Lords and Commons in Parliament assembled, do present this our humble Answer to your Majesties Message of the 11 of this instant

instant moneth of *September*, when we consider the Oppressions, Rapines^r Firing of Houses, Murthers (even at this time when Your Majesty propounded a Treaty) committed upon Your good Subjects by Your Souldiers in the presence, and by the authority of their Commanders, being of the number of those whom Your Majesty holds Your Self bound in Honour and Conscience to protect, as persons doing their duties; we cannot think Your Majesty hath done all that in You lyes to prevent, or remove the present distractions; nor so long as Your Majesty will admit no peace without securing the Authors and Instruments of these mischiefs from the justice of the Parliament, which yet shall be ever dispenc'd with all requisite moderation and distinction of offences, although some of those persons be such, in whose preservation Your Kingdom cannot be safe, nor the unquestionable Rights and Priviledges of Parliament be maintained, without which the power and dignity thereof will fall into contempt: We beseech Your Majesty therefore to consider Your Expressions, That God shall deal with You and Your Posterity, as Your Majesty desires the preservacions of the just Rights of Parliament, Which being undenyable in the thing, of such as we have declared to be Delinquents, we shall believe Your Majesty both towards Your Self and Parliament, will not in this priviledge we are most sensible of, deny us that which belongs unto the meanest Court of Justice in this Kingdom: Neither hath Your Majesty cause to complain, that You are denyed a Treaty, when we offer all that a Treaty can produce, or Your Majesty expect security, honour, service, obedience, support, and all other effects of an humble, loyall, and faithfull subjection, and seek nothing but that our Religion, Liberty, peace of the Kingdom, safety of the Parliament may be secured from the open violence and cunning practises of a wicked party, who have long plotted our ruine and destruction. And if there were any cause of Treaty, we know no competent persons to treat betwixt the King and Parliament, And if both Cause and Persons were such as to invite a treaty, The reason is altogether unfit whilst Your Majesties Standard is up, Your Proclamations and Declarations unrecalled, whereby Your Parliament is charged with Treason.

If Your Majesty shall persist to make Your Self a shield and defence to those Instruments, and shall continue to reject our faithfull and necessary advice of securing and maintaining Religion and Liberty with the Peers of the Kingdom and safety of the Parliament, We doubt not but to indifferent judgements it will easily appear, who is most tender of that innocent blood which is like to be spilt in this cause, Your Majesty who by such persisting doth endanger Your Self and Your Kingdoms, or we who are willing to hazard our selves to preserve both.

We humbly beseech Your Majesty to consider how impossible it is that any Protestation though published in Your Majesties name, of your tenderesse of the miseries of Your Protestant Subjects in *Ireland*, of Your resolution to maintain the Protestant Religion and Laws of this Kingdom, can give satisfaction to reasonable and indifferent men, when at the same time divers of the Irish Traytors and Rebels, the known favourers of them, and agents for them are admitted to Your Majesties presence with grace and favour, and some of them employed in Your service, when the cloaths, munition, horse, and other necessities bought by Your Parliament, and sent for the supply of the Army against the Rebels there, are violently taken away, some by Your Majesties command, others by Your Ministers, and applied to the maintenance of an unnaturall Warre against Your People here.

All this notwithstanding as we never gave Your Majesty any just cause of withdrawing Your Self from Your great Counsell, so it hath ever been and shall ever be farre from us to give any impediment to Your return, or to neglect any proper means of curing the distempers of the Kingdom, and closing the dangerous breaches betwixt Your Majesty and Your Parliament, according to the great trust which lyes upon us. And if Your Majesty shall now be pleased to come back to Your Parliament without Your Forces, we shall be ready to secure Your Royall Person, Crown and Dignity, with our lives and fortunes; Your presence in this great Counsell being the only means of any Treaty betwixt Your Majesty and them with hope of success.

And in none of our desires to Your Majesty shall we be swayed by any particular mans advantage, but shall give a cleer testimony to Your Majesty and the whole world, That in all things done by us, we faithfully intend the good of Your Majesty and of Your Kingdoms, and that we will not be diverted from this end by any private or self respects whatsoever.

Septemb. 16. 1642.

Ordred by the Lords in Parliament, That this Answer shall be forthwith Printed and Published.

Joh. Brown, Cler. Parl.

*An Ordinance of the Lords and Commons assembled in Parliament;
Inhibiting the importation of Currans.*

WHereas it is found by daily experience, that the Importation of Currans into this Kingdom (it being a Commodity of little or no use at all, but a meer superfluity, and may well be spared) is a matter of great concernment, not only to the Merchant, but to this Nation, in regard the said Commodity cannot be had in the parts beyond the Seas, where the same are bought, without ready money, an hundred thousand pound *per annum* at least, being bestowed in Currans, which otherwise would be brought into this Kingdom, is wholly diverted; whereas formerly (till of later years) the said Currans were bought for Commodities of this Kingdom, exported hence of small value, besides the great advantage which is yearly made upon the Merchant (where the said Currans are laden) to their exceeding prejudice by the high and excessive Rates and Taxes which are there imposed upon the said Commodity.

For the prevention of the like mischief for time to come, The Lords and Commons in this present Parliament assembled, at the instance and desire of the Merchants of this Kingdom, and by and with their consent, do order, ordain, and declare, That from and after the last day of *September*, which shall be in the year of our Lord God 1642, That no Currans be imported into the Kingdom of *England*, or Dominion of *Wales*, by any Merchants strangers, Denizens, or others by way of Merchandize or otherwise, from any parts beyond the Seas; But the importation thereof from and after the said last day of *September*, is hereby utterly prohibited and forbidden.

And further by the Authority aforesaid, it is ordered and declared, That from and after the said last day of *September*, no Entries be taken of any Currans that shall be imported into this Kingdom or Dominion of *Wales*, by any Officer whatsoever, in any of the Custome-Houses or elsewhere; And in case any Merchant Denizen, or Alien, or any other Person whatsoever contrary to this Ordinance, shall presume to Import and unlade any Currans within this Kingdom or Dominion of *Wales* after the said last day of *September*, that it shall be lawfull for the Officers of the Custome-House respectively, to seize, take, and carry away all such Currans, and them to detain untill they shall receive further order from both the Houses of Parliament in that behalf; And that every person that shall offend herein, shall be lyable to such further punishment and censure as the Lords and Commons in a Parliamentary way shall inflict or impose.

And it is further ordered that the respective Officers of the Custom-houses do take special care to put this Ordinance in execution, or do cause it to be fully executed in every point according to the true intention of the same, and that such persons as shall not obey in any of the premises shall answer their neglect and contempt before the Lords and Commons in Parliament, and not otherwise or elsewhere.

And lastly, it is ordered and declared, That from and after the three and twentieth day of *August*, which shall be in the year of our Lord God, 1642. That no Currans which are already bought in the parts beyond the Seas, and brought into this Kingdom or the Dominion of *Wales*, shall be sold by retail for more than after the rate of five pence the pound, and that if any person (that shall sell the same) shall offend contrary to this Ordinance, that he shall be lyable to receive such punishment as the Lords and Commons in a Parliamentary way shall impose for his contempt in that behalf.

Veneris, 26 August. 1642.

It is this day Ordered by the Lords and Commons, That this Ordinance concerning Currans be forthwith printed and published.

H. Elsynge, Cler. Parl. D. Com.

A Declaration of the Lords and Commons assembled in Parliament, That whatsoever Souldier or Souldiers shall break open, pillage, or ransack any mans House, under colour that they are Papists, or Persons disaffected (without command of their Captain) shall be pursued and punished according to the Law as Felons.

W Hereas divers Souldiers have in a tumultuous and violent manner broken into divers of the Kings Subjects houses, pillaged and ransacked them, under colour that they are Papists-Houses, or the houses of persons disaffected; The Lords and Commons taking the premises into consideration, do declare and order, That whatsoever Souldier or Souldiers, shall without the command of the Captains of their respective Companies, or the Officers of the field, attempt upon, or break open any houses whatsoever, or pillage or ransack any house, shall be pursued and punished, according to the Law as a Felon. And the said Lords and Commons do require all Officers of the Army to employ their best endeavours, for the bringing of any such Souldiers that shall commit any of the insolencies aforesaid, to condigne punishment, That they may be severely and effectually proceeded against, according to Law. And the Lord Generall

is desired, That this Order may be duly published in the Army, in the head of each particular Company.

Die Sabbathi, August. 27. 1642.

Ordered by the Lords and Commons assembled in Parliament, That this Declaration be forthwith Printed and published.

Jo. Browne, Cler. Parliament.

A speciall Order of both Houses concerning irregular Printing, and for the suppressing of all false and scandalous Pamphlets.

W Hereas there hath been of late great disorders and abuses by irregular Printing, to the great scandall of Religion and Government, and a Bill is in preparation for the redresse of those mischiefs, which by reason of the present distractions, cannot be so speedily perfected & passed as is desired; It is therefore Ordered by the Lords and Commons in Parliament, That no person or persons shall Print, publish, or utter, any Book or Pamphlet, false, or scandalous, to the proceedings of the Houses of Parliament, or either of them, nor shall Print, utter, or publish, any Book or Pamphlet, with the name of the Clerk of either House of Parliament set thereunto, or with any expression, pretence of Order from both or either of the said Houses, without speciall Order from the said Houses, or either of them, or of the Committees of them, or either of them concerning Printing; and the same to be entred in the Register Book of the said Company, according to the ancient custome; and the Master and Wardens of the Company of Stationers London, and the Usher of the Black-rod, and Serjeant of the Commons House of Parliament and their Deputies, are hereby authorized and required, to make diligent search from time to time, for all such Books and Pamphlets, to be hereafter Printed, and the same to seize, and take, together with the presses, and other printing Materials, wherewith the same shall be Printed; and carry them to the Common-hall of the said Company, there to remain till either House of Parliament shall otherwise dispose thereof; And all His Majesties Officers shall upon request, ayde, and assist, to apprehend offenders in the premises, and to bring them before the Lords or Commons House of Parliament, or the Committees appointed for Printing, upon whose report of the Fact, such course shall be taken with the said Offenders, as shall be just. And for that purpose the said Committees are to sit at such times and places as they shall think fit.

Die Veneris, 26 Augusti. 1642.

Ordered by the Lords and Commons assembled in Parliament, That this Order be forthwith Printed and published.

Jo. Brown, Cler. Parl.

*A Declaration of the Lords and Commons Assembled in Parliament, For
the appeasing and quieting of all unlawfull Tumults and Insur-
rections in the severall Counties of England, and
Dominion of Wales.*

THe Lords and Commons having lately sent Sir *Thomas Barrington*, and Master *Grymstone*, into the County of *Essex*, for the appeasing and quieting of divers Assemblies of people gathered together in great Bodies, who had much damnified the houses, and taken the goods of divers persons without Law or other Authority: And having received a report from Sir *Thomas Barrington*, being returned, That the people upon the first knowledge given them that the Parliament required they should forbear the searching of any houses for Arms and Ammunition, or the taking goods out of any House otherwise then is or shall be directed by the Parliament, or without the assistance of some of those Persons who are by both Houses of Parliament declared that they ought to be present; The people did thereupon presently yeeld obedience and withdrew themselves in a peaceable manner, and as they were required, did make restitution of Plate, Money, and many other goods by them taken from such as were pretended popish Recusants, and other malignant Persons, and that they had expressed great zeal and forwardnesse to comply with the directions of Parliament for the future.

The Lords and Commons do declare, That they resent the aforesaid expressions of the people, and their ready obedience, as a testimony of that dutifull affection which they bear to the Parliament, and to the present service of the Kingdom, and do hereby order and declare, That all persons whosoever, that have taken either Money, Plate, or any other Goods out of the House or Houses, or from the persons of any whosoever, without the speciall command or order of both, or either House of Parliament, shall forthwith restore the same to the parties, from whom they were taken, or otherwise be proceeded against, as the Lords and Commons shall further direct, upon complaint made, And as both Houses of Parliament have been, and will be every carefull to preserve the peace of the Kingdom, by disarming of all Recusants, and such others as shall be known or justly suspected to be enemies thereunto, and to the pious and good endeavours of this Parliament; And to that purpose have by a Declaration passed by assent of both Houses, the three and twentieth of *August* last, expressed what persons shall be intrusted for the managing of that service; They do thereby further Order and Command, That no person do presume either alone, or accompanied

accompanied with others, to break or violently enter the House of any whosoever, under colour of pretence of disarming Recusants or other persons pretended to be enemies to the peace of the Kingdom, without the particular command of such as are intrusted or deputed by the Parliament, And it is further declared, That speciall and speedy care be taken therein, for the security of the Kingdom; and particularly for the County of *Essex*, from whom they have received so many expressions of their duty to the service of the publike, though the Parliament cannot but let them know, that severall violent actions by some of them unwarrantably committed, are extremely disallowed; but as the Lords and Commons declare, That they shall be ever ready to give assistance, and protection to all such as shall obey the commands of both, or either Houses of Parliament, so they do resolve, That they will inflict exemplary punishment on all such according to their severall demerits, as shall be refractory and disobedient to these their commands made known to them; and by all good wayes, and means will further endeavour to bring them to a legall tryall for such their Offences: But for the encouragement of those who have been forward, and active in the service of the Common-wealth, It is thought fit to give them notice, that those eight Horses taken from Sir *John Lucas*, and brought up to the Parliament by Sir *Thomas Barrington*, and intended by Sir *John Lucas*, for the strengthening of a Malignant party, and are delivered by command to the Lord Generall to be by him imployed for the preservation of the Kingdom, and the Parliament hath caused the same Sir *John Lucas*, and Master *Newcomen*, to be committed to severall prisons; And it is resolved, That they shall be brought to their severalls tryalls and receive such punishment as shall appear to be just according to their demerits. And like proceedings shall be had against all such as shall be found disturbers of the peace of that County.

An Ordinance of the Lords and Commons concerning Stage-plays.

WHereas the distressed Estate of *Ireland*, steeped in her own Bloud, and the distracted Estate of *England*, threatned with a Cloud of Bloud, by a Civill Warre, call for all possible means to appease and avert the Wrath of God appearing in these Judgements; amongst which, Fasting and Prayer having been often tryed to be very effectuell, have been lately, and are still enjoyned; and whereas publike Sports do not well agree with publike Calamities, nor publike Stage-plays with the Seasons of Humiliation, this being an Exercise of sad and pious

pious solemnity, and the other being Spectacles of pleasure, too commonly expressing lascivious Mirth and Levity : It is therefore thought fit, and ordained by the Lords and Commons in this Parliament assembled, That while these sad Causes, and set times of Humiliation do continue, publike Stageplayes shall cease, and be forborne. Instead of which, are recommended to the people of this Land, the profitable and seasonable Considerations of Repentance, Reconciliation, and peace with God, which probably may produce outward peace and prosperity, and bring again Times of Joy and Gladnesse to these Nations.

Die Veneris, 2 Septemb. 1642.

Ordered by the Lords and Commons in Parliament, That this Order be forthwith Printed and published.

Joh. Brown, Cler. Parl.

The Scots Declaration, In answer to the Declaration, sent unto them by their Commissioners now at London, From the honourable Houses of Parliament of England ; Expressing their Care to prevent the effusion of Christian Bloud, And their Affections to Reformation both to Kirk and State.

THe Generall Assembly of the Kirk of Scotland having received a Declaration sent unto them by the Commissioners of this Kingdom now at London, from the Honourable Houses of the Parliament of England, Expressing their care to prevent the effusion of Christian Bloud in that Kingdom, and their affections to Reformation both in Kirk and State : And having taken the same to such consideration, as the Importance of so weighty matters, and the high estimation they have of so wise and honourable a meeting as is the Parliament of England did require, Have, with Universall Consent, resolved upon this following Answer :

I. That from the recent sense of the goodnesse of God in their owne late deliverance, and from their earnest desire of all happynesse to our Native King, and that Kingdom, They blesse the Lord for preserving them in the midst of so many unhappy Divisions and Troubles, from
a bloudy

a bloody Intestine Warre, which is from God the greatest judgement ; and to such a Nation, the Compend of all Calamities. They also give God thanks for their former and present desires of a Reformation, especially of R E L I G I O N, which is the glory and strength of a Kingdom, and bringeth with it all Temporall blessings of Prosperity and Peace.

II. That the hearts of all the Members of this Assembly, and of all the well-affected within this Kingdom are exceedingly grieved, and made heavy, That in so long a time, against the professions both of King and Parliament, and contrary to the joynt desires and prayers of the godly in both Kingdoms, to whom it is more dear and precious then what is dearest to them in the world, The Reformation of Religion hath moved so slowly, and suffered so great interruption. They consider, That not onely Prelates, formall Professors, prophane and worldly men, and all that are popishly affected, are bad Counsellors and Workers, and do abuse their power, and bend all their strength and policies against the Work of God, but the god of this world also, with Principalities and Powers, the Rulers of the darkness of this world, and Spirituall wickednesse in high places, are working with all their force and fraud in the same opposition, not without hope of successe ; they having prevailed so far from the beginning, That in the times of the best Kings of *Judah* of old, and the most part of the Reformed Kirks of late, a thorow and perfect Reformation of Religion hath been a Work full of difficulties : Yet do they conceive, That as it ought first of all to be intended, so should it be above all other things, with confidence in God, who is greater then the world, and he who is in the world most seriously endeavoured. And that when the Supreme Providence giveth opportunity of the accepted time and day of Salvation, no other work can prosper in the hands of his servants, if it be not apprehended, and with all reverence and faithfulness improved. This Kirk and Nation when the Lord gave them the calling, considered not their own deadnesse, nor staggered at the promise through unbelief, but gave glory to God. And who knoweth (we speak it in humility and love, and from no other minde, then from a desire of the blessing of God upon our King and that Kingdom) but the Lord hath now some Controversie with *England*, which will not be removed, till first, and before all, the Worship of his Name, and the Government of his House be settled according to his own will. When this desire shall come, it shall be to *England*, after so long deferred hopes, a Tree of Life, which shall not onely yeeld temperall blessings

unto themselves, but also shall spread the branches so far, that both this Nation, and other Reformed Kirks shall finde the fruits thereof to their gear satisfaction.

III. The Commissioners of this Kingdom in the late Treaty of Peace, considering that Religion is not onely the Mean of the Service of God, and saving of souls, but is also the Base and Foundation of Kingdoms and Estates, and the strongest Band to tye Subjects to their Prince in true Loyalty, and to knit the hearts of one to another in true Unity and Love, They did, with Preface of all due Respect and Reverence, far from Arrogance or Presumption, represent, in Name of this Kingdom, their serious Thoughts, and earnest Desires for Unity of Religion; That in all His Majesties Dominions there might be one Confession of Faith, one Directory of Worship, one publike Catechism, and one Form of Kirk-Government: This they conceived to be acceptable to God Almighty, who delighteth to see his people walking in Truth and Unity; To be a speciall Means for conserving of Peace betwixt the Kingdoms; Of easing the Kings Majesty and the publike Government of much trouble which ariseth from differences of Religion, very grievous to Kings and Estates; Of great content to the King Himself, to His Nobles, His Court, and all His People, when—occasioned to be abroad, without scruple to themselves, or scandall to others, all may resort to the same publike Worship, as they were at their own dwellings; Of suppressing the names of Heresies and Sects, Puritans, Conformists, Separatists, Anabaptists, &c. which do rent asunder the Bowels both of Kirk and Kingdom; Of despair of successe to Papists and Recusants to have their Profession, which is inconsistent with the true Protestant Religion, and Authority of Princes, set up again; And of drawing the hearts and hands of Ministers from unpleasent and unprofitable Controversies, to the pressing of Mortification, and to Treatises of true Piety, and practicall Divinity. The Assembly doth now enter upon the labour of the Commissioners, unto which they are encouraged, not onely by their faithfulness in the late Treaty, but also by the Zeal and Example of the Generall Assemblies of this Kirk in former times, as may appear by the Assembly at *Edinburgh, December 25.* in the year 1566. which ordained a Letter to be sent into *England* against the Surplice, Tippet, Corner-Cap, and such other Ceremonies as then troubled that Kirk, that they might be removed. By the Assembly at *Edinburgh, April 24. 1583.* humbly desiring the Kings Majesty to command His Ambassadour then going into *England* to deal with the Queen, That there might be an Union and Band betwixt them and other Christian Princes and Realms professing

professing the true Religion, for defence and protection of the Word of
 God, and Professors thereof, against the persecution of Papists and con-
 federates, joynd and knit together by the bloody League of *Trent*: As
 also, That Her Majesty would disburden their Brethren of *England*
 of the yoke of Ceremonies imposed upon them against the liberty of the
 Word. And by the Assembly at *Edinburgh*, *March 3. 1589.* ordaining the
 Presbytery of *Edinburgh* to use all good and possible means for the relief and
 comfort of the Kirk of *England*, then heavily troubled for maintaining the
 true Discipline and Government of the Kirk: And that the brethren in
 their private and publike prayers recommend the estate of the afflicted
 Kirk of *England* to God. While now by the mercy of God, The con-
 junction of the two Kingdoms is many wayes increased, The zeal of the
 Generall Assembly towards their happinesse ought to be no lesse. But be-
 sides these, the Assembly is much encouraged unto this duty, both from the
 Kings Majesty and His Parliament joyntly, in their Answer to the Proposi-
 tion made by the late Commissioners of the Treaty, in these words; *To*
their desire concerning Unity of Religion, and Uniformity of Kirk-Govern-
ment, as a speciall means for conserving of Peace betwixt the two Kingdoms, up-
on the grounds and reasons contained in the Paper of the 10 of March, and given
into the Treaty and Parliament of England. It is answered upon the 15 of
June, That His Majesty, with the advice of both Houses of Parliament, doth
approve of the affection of his Subjects of Scotland, in their desire of having
Conformity of Kirk-Government between the two Nations; And as the Parlia-
ment hath already taken into consideration the Reformation of Kirk-government,
so they will proceed therein in due time, as shall best conduce to the glory of God,
the Peace of the Kirk, and of both the Kingdoms. And also severally; for His
Majesty knoweth that the custody and vindication, the conservation and
purgation of Religion, are a great part of the duty of Civill authority and
power. His Majesties late practise, while He was here in person, in resort-
ing frequently to the exercises of publike Worship, His Royall actions in e-
stablishing the Worship and Government of this Kirk in Parliament. And in
giving order for a competent maintenance to the Ministry and Seminaries
of the Kirk; And His Majesties gracious Letter to the Assembly (seconded
by the Speech of His Majesties Commissioner) which containeth this Reli-
gious Expression; Where any thing is amisse, We will endeavour, in a fair and
orderly way, a Reformation; and Where Reformation is settled, We resolve, with
that authority wherewith God hath vested us, To maintain and defend it in peace
and liberty, against all trouble that can come from without, and against all here-
sies, sects, and schismes which may arise from within. All these do make us hope-
full that His Majesty will not oppose, but advance the work of Reformation

In like manner the Honourable Houses of Parliament, as they have many times before witnessed their zeal, so now also in their Declaration sent to the Assembly, which not only sheweth the constancy of their zeal, but their great grief that the work hath been interrupted by a malignant party of Papists and evill-affected persons, especially of the corrupt and dissolute Clergy, by the incitement and instigation of Bishops and others. Their hopes, according to their earnest desire, when they shall return to a peaceable and Parliamentary proceeding, by the blessing of God, to settle such a Reformation in the Church as shall be agreeable to Gods Word; And that the result shall be a most firm and stable Union between the two Kingdoms of *England* and *Scotland*, &c. The Assembly also is not a little encouraged by a Letter sent from many Reverend Brethren of the Kirk of *England*, expressing their prayers and endeavors against every thing which shall be found prejudiciall to the establishment of the Kingdom of Christ, and the peace of their Sovereign. Upon these encouragements, and having so potent a door of hope; the Assembly doth confidently expect, That *England* will now bestir themselves in the best way for a Reformation of Religion; And do most willingly offer their prayers and uttermost endeavours for furthering so great a work, wherein Christ is so much concern'd in his glory, the King in his Honour, the Kirk and Kingdom of *England* in their happinesse, and this Kirk and Kingdom in the purity and peace of the Gospel.

IV. That the Assembly also from so many reall invitations, are heartned to renew the Proposition made by the aforementioned Commissioners of this Kingdom, for beginning the work of Reformation, at the Uniformity of Kirk-Government: For what hope can there be of Unity in Religion, of one confession of Faith, one form of Worship, and one Catechisme, till there be first one Form of Ecclesiasticall Government? Yea, what hope can the Kingdom and Kirk of *Scotland* have of a firm and durable Peace, till Prelacy, which hath been the main cause of their miseries and troubles first and last, be pluckt up root and branch, as a plant which God hath not planted, and from which no better fruits can be expected, then such sower grapes, as this day set on edge the Kingdom of *England*?

V. The Prelaticall Hierarchy being put out of the way, the work will be easie, without forcing any conscience, to settle in *England* the Government of the reformed Kirks by Assemblies; for although the reformed Kirks do hold without doubting their Kirk-Officers, and Kirk-Government by Assemblies higher and lower, in their strong and beautifull subordination, to be *jure divino*, and perpetuall; yet Prelacy, as it differeth from the Office of a Pastor, is almost universally acknowledged by the Prelates themselves, and their adherents, to be but an humane Ordinance, introduced by humane

reason,

reason, and settled by humane Law and Custome, for supposed conveniency ; which therefore by humane authority, without wronging any mans conscience, may be altered and abolished, upon so great a necessity as is a hearty Conjunction with all the reformed Kirks , a firm and well-grounded Peace between the two Kingdoms, formerly divided in themselves , and betwixt themselves, by this partition-wall, and a perfect Union of the two Kirks in the two Nations, which although by the providence of God in one Island, and under one Monarch, yet ever since the Reformation, and for the present also are at great difference in the point of Kirk-Government, which in all places hath a powerfull influence upon all the parts of Religion, then any other reformed Kirks , although in Nations at greatest distance , and under divers Princes.

VI. What may be required of the Kirk of *Scotland* for furthering the work of Uniformity of Government, or for agreeing upon a common confession of Faith, Catechism, and Directory for Worship, shall according to the order given by this Assembly, be most willingly performed by us , who long extremely for the day when King and Parliament shall joyn for bringing to passe so great, so good a work : That all Wars and commotions ceasing, all Superstition, Idolatry, Heresies, Sects and Schisms being removed ; As the Lord is one, so his Name may be one amongst us ; And Mercy and Truth, Righteousnesse and Peace meeting together and kissing one another, may dwell in this Island.

S^t Andrews, Aug. 3. 1642.

JOHNSTON, *Cler. Eccl.*

At Edinburgh, August 13. 1642.

THe Lords of the Secret Counsell having read, heard, and considered the Petition this day given in to them, in the Name of the late Generall Assembly holden at *S. Andrews*, by their Commissioners appointed for that effect, desiring the Councell to concur with them in their Remonstrance to the Parliament of *England*, toward the settling of Unity in Religion , and Uniformity in Kirk-Government in His Majesties three Kingdoms. And having also heard the Petition directed from the Assembly to His Majesty, with their Answer to the Parliament of *England*, the Scots Commissioners of the Treaty at *London* , and certain Ministers of *England* concerning this matter : And finding the reasons therein expressed to be very pregnant, and the particular desired much to conduce for the glory of God, the advancement of the true Christian Faith, His Majesties Honour, and the

Peace

peace and union of His Dominions. The said Lords, out of their duty to the furtherance of so much wished and important a work, and affection to their brethren of the Kingdom of *England*, do unanimously and heartily concur with the said Nationall Assembly, in their earnest desires to the Honourable Houses of the Parliament of *England*, to take to their serious consideration the particulars aforesaid, touching Unity in Religion, and Uniformity in Kirk-Government in the said three Kingdoms, as a singular mean of His Majesties Honour, the good of the true Christian Faith, and happinesse of His Majesties Dominions; And to give favourable hearing to such desires and overtures as shall be found most conducive for the promoting of so great and good a Work.

Extractum de libris actorum secreti Consilii S. D. N. Regie, per me,
Arch. Primerose, Cler. S. Conf.
Edinb: 26 Aug: 1642.

Ordered by the Lords and Commons, That this be forthwith printed and published.

H. Elfyng, Cler. Parl. D. Com.

*A Declaration and Resolution of the Lords and Commons in Parliament,
in Answer to the Scots Declaration.*

THe Lords and Commons in Parliament have with approbation and thanks, received from the Commissioners of the Kingdom of *Scotland*, a clear Manifestation of the respect which the Lords of His Majesties Secret Councell for that Realm do bear to the welfare and peace of this Kingdom, in the expressions of their affections wherein they were pleased to second the desires of the Generall Assembly of that Church for Unity in Religion, and Uniformity in Church-Government in His Majesties three Kingdoms: And having often had that matter in debate, and our most serious consideration; the Christian advice of that Reverend Assembly, and the grave counsell of that Honourable Table concurring with our own Judgement, and Experience of the manifold mischiefs and distractions which the Government of the Prelacy of this Kingdom hath in all times and ages produced in this Church and State, have moved us to bring our Resolution to a more speedy maturity and conclusion; wherein, as we have satisfied our own Reason, so we hope we shall satisfie the loving and Christian desires of our Brethren of *Scotland*; Although we know that

that hereby we shall exceedingly irritate that opposite and malignant party who will bend all their Invention and force to interrupt this work, and to ruine and destroy us in the undertaking of it.

And we desire their Lordships to consider that the party which hath now incens'd and arm'd His Majesty against us and His other faithfull Subjects in this Kingdom, is the very same which not long since, upon the very same designe of rooting out the Reformed Religion, did endeavour to begin that Tragedy in *Scotland*; which, whensoever it shall be perfected in either Nation, will easily be accomplished in the other; Religion being the Band and Foundation of the safety and happinesse of both. And as we resolve, according to the Nationall command betwixt the two Kingdoms, to be carefull of the peace of *Scotland* as of our own, so we doubt not but their Lordships and the Nation of *Scotland* will be carefull to expresse their brotherly kindnesse to us, and prudent care of themselves, by restraining the evill-affected amongst them, that they may not foment our troubles; and by all clear wayes, according the Articles ratified in the Parliaments of both Kingdoms, to maintain the Peace and Amity betwixt the two Nations, and to restrain the mischievous attempts and practises of those who are enemies to both; that so, through Gods blessing, we may rejoyce mutually in one anothers happinesse, and yeeld His Majesty such a faithfull subjection, may behonourable to Himself, comfortable to His people, advantagious to the professors of the Reformed Religion in other parts beyond the Seas.

WE the Lords and Commons in Parliament assembled, having with much contentment perused the brotherly and Christian Answer which the Generall Assembly of the Church of *Scotland* have made unto the Declaration formerly sent unto them from us; and finding therein great expressions of love to this Church and Kingdom, and of prudence and faithfulness in propounding those things which may conduce to a more close and firm Union of the two Churches and Nations of *England* and *Scotland*, in preserving and maintaining the truth and purity of the Reformed Religion, not onely against Popery, but against all other superstitious Sects and Innovations whatsoever; have thereupon resumed into our consideration and care, the matters concerning the Reformation of Church-Government and Discipline, which we have often had in consultation and debate since the beginning of this Parliament; and ever made it our chiefest aim, though we have been frequently interrupted, and powerfully opposed in the prosecution and accomplishment of it.

And:

And however we continue still in the storm and conflict, finding small abatement of difficulty, and much encrease of malignity and perverseness in the opposition wherewith this great and necessary work of Reformation is encountred; Yet we heartily thank God, and rejoyce with our Brethren of *Scotland*, for that Peace, Liberty, and preservation which God hath afforded them, taking it as a pledge and earnest of the like mercy intended to us in his good time, and hoping that he will not only free us from the most grievous and destructive miseries and calamities of a Civill War, but graciously perfect our designs and endeavours of a full Reformation in all matters appertaining to Religion, which as it is the greatest Honour and Service which God receives from his people, so we acknowledge with our Brethren, That it is the surest foundation of glory, strength, and happiness, which he bestows upon any Nation.

The manifold obstructions and impediments which we have met with in seeking this great blessing, do give to us and all Gods people, great cause of grief, and works in us an earnest longing for the removall of them: yet knowing that all the wonderfull works of God in this kinde have been brought to perfection, through many oppositions, and seeming impossibilities, that so the conclusion might be more glorious to his divine Majesty, and comfortable to his children. We cannot but in humility and submission expect the like issue of our wrestling and striving with that fierce and peremptory opposition which hath been framed and acted against us by the subtil and busie engines of Satan, the most pestilent incendiaries among us, the Jesuites from abroad; a virulent and discontented party at home, consisting of the Prelaticall Clergy, Atheisticall projectors against Religion, profane and sensuall self-lovers, heightened and enflamed against us with a spirit of malignity beyond the example of former times, wherein we have had manifold occasions to discern both our own weaknesse and imperfections, and the divine mercy and goodnesse, and to hope that God having upheld us so long beyond our own strength and merit, will bring us thorow at last, to the full accomplishment of his own praise, and of the joy of this and other Churches.

We acknowledge it an act of love to us, and of wisdom for the good of both Churches, for which we are thankfull both to God and them, that our brethren of *Scotland* have bestowed their serious thoughts and earnest desires for Unity of Religion; That in all His Majesties Dominions there might be one Confession of Faith, one Directory of Worship, one publike Catechism, and one Form of Church-Government. And although it will hardly be obtained punctually and exactly, unlesse some way might be found for a mutuall communication, and conjunction of counsell & debate in framing that

that one forme: yet both intending the same end, proceeding by the same rule of Gods Word, and guided by the same Spirit, we hope by Gods assistance to be so directed, that we may cast out whatsoever is offensive to God, or justly displeasing to any Neighbour Church, and so far agree with our Brethren of *Scotland*, and other reformed Churches, in all substantiall parts of Doctrine, Worship and Discipline, that both we and they may enjoy those advantages and conveniences which are mentioned by them in this their answer in the more strict union of both Kingdomes, more safe, easie, and comfortable Government of his Majestie, and both to himselfe and people more free Communion in all holy exercises and duties of worship, more constant security of Religion, against the bloody practices of Papists, and deceitfull errors of other Sectaries, and more profitable use of the Ministry, for the compassing and attaining whereof, we intend to use the labour and advice of an Assembly of godly, learned Divines, for the convening of whom, a Bill hath already past both Houses, which had taken effect long since, if we could have obtained his Majesties Royall consent thereunto. All which considered, we acknowledge the faithfull and affectionate expressions of our Brethren, in wishing and desiring this great advantage for us, doth fully deserve those thanks which wee have formerly expressed, and no whit stand in need of that Apology which they are pleased to make.

The maine cause which hitherto hath deprived us of these, and other great advantages, which we might have by a more close Union with the Church of *Scotland*, and other reformed Churches, is the government by Bishops, which to strengthen it selfe hath produced many other differences in Discipline and Ceremonies betwixt them and us, and is apt to worke in the minds of those who are the approvers and defenders of it, such a disesteeme of, and opposition to those Churches, as makes us desperate of that most beneficiall and desirable conjunction with them, untill this great impediment be removed: whereupon we have entred into a serious consideration, what good we have received from this government by Bishops, which may countervaille such a losse and inconvenience, and we are so farre from apprehending any satisfaction herein, that we plainly perceive it a cause of many other calamities, dangers, and intollerable burdens; being a dishonour to God, by arrogating to themselves a preheminance and power which he hath not given them, by prophaning the puritie of his ordinances, with the mixture of their own injunctions, by withstanding the frequent and powerfull Preaching of the Gospell, that so their usurped authoritie might receive more easie admittance into the ignorant and misguided consciences of men, by corrupting the Ministrie with Pride, Ambition, Covetousnesse, Idlenesse and Luxurie, by suppressing the spirituall power and efficacy of Religion, and turning it into formality and Pompe, by incli-

ning to Popery, the principles thereof being futable to this government, and contrary to those principles which were the first grounds of Reformation, We likewise find it most pernicious to the civill state and Common-wealth in that the Bishops have ever been active to infuse into our Kings such Tenents and positions, as are contrary to the fundamentall lawes of the Kingdome, and apt to introduce Tyranny, and an arbitrary power over the lives, liberties, and propriety of the subject : and that they have been forward to incite the King against his people, and by force of armes to constrain them to submit to such an arbitrary government, and by unlawfull contribution of money to assist his Majesty in making warre upon his Subjects, whereof there are many evidences both in those preparations which not long since were made to invade *Scotland*, and in the warre now raised against the Parliament, and Kingdome of *England*, and yet they have showne themselves so ambitious of Sovereignty, that they forbear no to maintaine in Sermons, and Printed Bookes, that the Kings Scepter ought to submit to *Aarons* Rod, and the Mitre to be above the Sword, which argues in them an Antichristian spirit to exalt themselves above all that is called God and a designe (when they have brought the Kingdome to be disposed at his pleasure) to subject his Majesty to their own arbitrary censures, that themselves may triumph in the bondage both of King and people.

Upon all which and many other reasons we doe declare, that this government by Archbishops, Bishops, their Chancellours, and Commissaries, Deanes and Chapters, Archdeacons, and other Ecclesiasticall Officers depending upon the Hierarchy, is evill and justly offensive and burdensome to the Kingdome, a great impediment to Reformation and growth of Religion, very prejudiciall to the state and government of this Kingdome : and that we are resolved that the same shall be taken away. And according to our former Declaration of the seventh of *February*, our purpose is to consult with godly and learned Divines that we may not onely remove this, but settle such a government, as may bee most agreeable to Gods holy Word, most apt to procure and conserve the peace of the Church at home, and happy union with the Church of *Scotland*, and other reformed Churches abroad, and to establish the same by a law which we intend to frame for that purpose to be presented to his Majesty for his Royall assent. And in the meane time humbly to beseech his Majesty that a Bill for the Assembly may be passed in time convenient for the meeting to bee by the fifth of *November* next, the miserable estate of the Church and Kingdome not being able to endure any longer delay.

This being the resolution of both Houses of Parliament, we doe desire our Brethren of *Scotland* to concurre with us in petitioning his Majesty, that his Royall authority may be applyed to the conservation of a firme unity betweene the two Kingdomes, and that they likewise will think good to send to the same

Assembly

Assembly some godly and learned Divines of that Church, whereby an uniformity in forme of Church-government may be obtained, and thereby a more easie passage made to the settling of one Confession of faith, one Liturgy or directory of the publick worship, and one Catechisme in all three Kingdomes. Which we hope through Gods blessing will have such an effect in all his Majesties Dominions, as will much advance the honour and service of God, enlarge the greatnesse, power, and glory of the King, confirme the peace, security, and prosperity of all his good Subjects, make way to the reliefe and deliverance of the poore afflicted Churches abroad, and to the totall abolishing of the usurpation and tyranny of *Rome*, being the prime cause and fountaine of all the miseries and calamities, the bloody massacres, outrages, cruelties, and bitter persecution of Gods people in all the Christian world for many Ages.

Ordered by the Lords and Commons in Parliament, that this Declaration bee forthwith Printed and published.

Hen. Elsing. Cler. Parl. D. Com.

FINIS.

A Declaration of the Lords and Commons assembled in Parliament concerning the Abuses lately done by severall persons in the County of Essex.

THe Lords and Cominons having lately sent Sir *Thomas Barrington* and Master *Grimston* into the County of *Essex*, for the appeasing and quieting of divers Assemblies of people gathered together in great bodies, who had much damnified the Houses, and taken the goods of divers persons, without Law, or other Authority: And having received a Report from Sir *Thomas Barrington*, being returned, That the people upon the first knowledge given them, that the Parliament required they should forbear the searching of any houses for Arms or Ammunition, or the taking goods out of any house, otherwise then is or shall be directed by the Parliament, or without the assistance of some of those Persons, who are by both Houses of Parliament declared. that they ought to be present. The people did hereupon speedily yield obedience, and withdrew themselves in a peaceable manner, and as they were required did make restitution of Plate, Money, and many other goods, by them taken from such as were pretended to be Popish Recusants, and other Malignant persons, and that they had expressed great Zeal and forwardnesse to comply with the directions of the Parliament for the future.

The Lords and Commons do therefore Declare, that they resent the afore-said expressions of the People, and their ready obedience as a testimonie of

that dutifull affection which they beare to the Parliament, and to the present service of the Kingdom; And do hereby Order and Declare, That all persons whosoever, that have taken either Money, Plate, or any other goods, out of the house, or houses, or from the persons of any whosoever, without the speciall Command or Order of both, or either House of Parliament, Shall forthwith restore the same to the parties from whom they were taken, or otherwise be proceeded against as the Lords and Commons shall further direct, upon complaint made; and as both Houses of Parliament have bin and will be very carefull to preserve the peace of the Kingdom, by disarming of all Recusants, and such others as shall be known, or justly suspected to be Enemies thereunto, and to the pious and good indeavours of this Parliament; and to that purpose have by a Declaration passed by assent of both Houses upon the 23. of August last expressed, what persons shall be intrusted for the managing of that service.

They do hereby further Order and Command, That no person whatsoever do presume, either alone or accompanied with others, to break, or violently enter the house of any whosoever, under colour or pretence of disarming recusants, or other persons pretended to be Enemies to the Peace of the Kingdom, without the particular Command of such as are intrusted, or deputed by the parliament.

And it is further declared, That speciall and speedy care be taken herein for the security of the Kingdom, and particularly for the County of *Essex*, from whom they have received so many expressions of their duty to the service of the publike; though the parliament cannot but let them know that severall violent Actions by some of them unwarrantably committed, are extremely disallowed: But, as the Lords and Commons declare, That they shall be ever ready to give assistance and protection to all such as shall obey the Commands of both or either Houses of parliament, so they do resolve, that they will inflict exemplary punishment on all such according to their severall demerits, as shall be refractory and disobedient to these their Commands made known to them, and by all good wayes and means will further endeavour to bring them to a legall tryall for such their offences; But for the encouragement of those who have been forward and active in the service of the Commonwealth, It is thought fit to give them notice, that those eight horses taken from *Sir John Lucas* and brought up to the parliament by *Sir Thomas Barrington*, and intended by *Sir John Lucas* for the strengthening of a Malignant party are delivered by Command to the Lord Generall, to be by him employed for the preservation of the Kingdom, and the Parliament hath caused the said *Sir John Lucas* and Master *Newcomin* to be committed to severall Prisons. And it is resolved that they shall be brought to their severall trialls, and receive such punishment

nishment as shall appear to be just according to their demerits, and like proceedings shall be had against all such as shall be found disturbers of the peace of that County.

Ordered by the Lords and Commons in Parliament, That this Declaration be forthwith Printed and Published.

Hen. Elsyng Cler. Parl. D. Com.

FINIS.

A Declaration of the Lords and Commons in Parliament.

VV Hereas information hath been given, that divers Persons well affected to the peace and safetie of the King and Kingdome, have been seized, apprehended and imprisoned, and divers worthy Ministers attached and bound over to the next Assizes to be holden at *Chester*, for yeelding obedience to the Ordinance and command of Parliament, and for refusing to obey the Illegall commands of the Commissioners of Array; The Lords and Commons doe therefore hereby declare all those to bee Enemies to the Common-wealth, and disturbers of the peace of the Kingdome, who seize, apprehend, or detain in prison, or send out their Warrants for the apprehending or otherwise molesting any person or persons for obeying the Ordinances and commands of the Parliament, or for refusing to obey the Commission of Array.

And doe require and command all Lord-Lieutenants, Deputy Lieutenants, Justices of peace, Sheriffs, Majors, Constables, and all other His Majesties Officers and loving Subjects, That they doe not onely forbear to execute any Warrants sent out by the Commissioners of Array, for the apprehending or binding over to the Assizes, or otherwise molesting any of his Majesties good Subjects, for not yeelding obedience to the Illegall Warrants and commands of the Commissioners of Array, but that they also assist, to the protection and defence of all those who are in danger to be apprehended, oppressed or molested by the violence and tyrannie of the Commissioners of Array.

Whereof they require the Justices of Assize of the County Palatine of *Chester*, and the Keeper of the Castle of *Chester*, and of other prisons in the said County, and all other His Majesties Officers and Subjects whom it may concern, to take speciall notice, that so those that are already imprisoned, or bound over by the Commissioners of Array in that County, may be discharged, and no further prosecuted and molested by any usurped Power and Authority against the Laws of the Land.

September 8. 1642.

Ordered by the Lords and Commons in Parliament, That this Declaration bee forthwith Printed and published.

Hen. Elsyng Cler. Parl. D. Com.

Hhhh 3

A

A Declaration of the Lords and Commons Assembled in Parliament Concerning the Releasing of divers Worthy Ministers, and other his Majesties good Subjects, in the County of Chester, who are imprisoned and bound over to the next Assize, for refusing to Obey the Illegall Commission of Array, and yeelding Obedience to the Ordinance and Command of Parliament.

VV Hereas information hath been given, that divers persons well affected to the peace and safety of the King and Kingdome, have been seized, apprehended, and imprisoned, and divers worthy Ministers Attached and bound over to the next Assizes to be holden at *Chester*, for yeelding obedience to the Ordinance and command of Parliament, and for refusing to obey the Illegall commands of the Commissioners of Array.

The Lords and Commons doe therefore hereby Declare all those to be enemies to the Common-wealth, and disturbers of the peace of the Kingdome, who seize, apprehend, or detaine in prison, or send out their warrants for the apprehending or otherwise molesting, any person or persons, for obeying the Ordinances and commands of the Parliament, or for refusing to obey the Commission of Array. And do require and command all Lieutenants, Deputie Lieutenants, Justices of the peace, Sheriffs, Majors, Constables, and all other his Majesties Officers and loving Subjects, that they doe not onely forbear to execute any warrants sent out by Commissioners of Array, for apprehending, binding over to the Assizes, or otherwise molesting any of his Majesties good Subjects, for not yeelding obedience to the Illegall warrants and commands of the Commissioners of Array, but that they also assist to the protection and defence of all those who are in danger to be apprehended, oppressed, or molested, by the violence and tyranny of the Commissioners of Array; whereof they require the Justices of Assize of the County Palatine of *Chester*, and the Keeper of the Castle of *Chester*, and of other prisons in the said County, and all other his Majesties officers and Subjects whom it may concerne, to take especiall notice, that so those that are already imprisoned or bound over by the Commissioners of Array in that County, may be discharged and no further prosecuted and molested by any usurped power or Authority against the Lawes of the Land.

A Declaration of the Lords and Commons in Parliament for the repaying of all such sums of Money, as are, or shall be brought towards this publicke Charge, out of the Estates of such as are Voted Delinquents, and dis-affected to the State of the Kingdome.

VV Hereas his Majesty in a Message received the fift of September, requires that the Parliament would revoke their Declarations against such persons as have assisted his Majesty in this unnaturall warre against his Kingdome, It is this day ordered, and declared, by the Lords and Commons, that the armes which they have beene forced to take up, and shall be forced to take up, for the preservation of the Parliament, Religion, the Lawes and liberties of the Kingdome, shall not be laid downe, untill his Majestie shall withdraw his protection from such persons as have been voted by both Houses to be Delinquents, or that shall by both Houses be voted to be Delinquents, and shall leave them to the Justice of the Parliament, to be proceeded with according to their demerits, to the end that both this and succeeding generations may take warning with what danger they incurre the like hainous crimes; and also to the end that those great charges and dammages where withall the Common-wealth hath beene burthened in the premises sithence His Majesties departure from the Parliament, may be borne by the Delinquents and other malignant and dis-affected persons, and that all his Majesties good and well-affected Subjects, who by loan of Moneys, or otherwise at their charge have assisted the Common-wealth, or shall in like manner hereafter assist the Common-wealth in time of extreame danger, may be repayed all sums of money by them lent for that purpose, and be satisfied their charges so sustained out of the said Delinquents, and of the Malignant and dis-affected party in this Kingdome.

An Order of both Houses, that the Lord Generall according to his Commissions, shall take speciall care for punishing disorders in the Souldiers.

IT is this day ordered by the Lords and Commons in Parliament Assembled, that the Lord Generall according to his Commission shall take speciall care for the restraining and punishing disorders in the Souldiers, according to the custome of Warre.

Die Jovis, Sept. 8. 1642.

Ordered by the Lords and Commons in Parliament, that these Declarations, and the Order concerning Souldiers be forthwith Printed and published.

John Browne Cler. Parliam.

A Decla-

A Declaration of the Lords and Commons in Parliament, concerning an insolent Letter sent to M^r. Clarke at Craughton neere Brackley in Northamptonshire, From Sir John Biron Knight, since the Inhabitants of that County apprehended divers Rebels under his command.

VWhereas Sir John Biron Knight, upon the 28 of *August* last with divers Troopes of Horse in a Trayterous and warlike manner, did march into the County of *Northampton*, with an intention to kill, rob, and spoyle his Majesties Subjects in that and other Counties, to the great terror and afrightment of the Inhabitants of those parts; whereupon divers of His Majesties loyall and well affected Subjects of the said County, according to their duty did assemble themselves together, and pursue the said Traytours, and Rebels, and apprehend divers of them, and routed the rest, whereby their Trayterous designs were for that time prevented; Since which time the remainder of those Troopes that escaped, joyned againe in a body, and in manner as before, forcibly entred the City of *Oxford*, and plundered, robbed, and spoiled his Majesties faithfull Subjects there, and forced divers to leave their owne habitations, and to fly else where for protection from their fury. And whereas the Lords and Commons, have bene since informed, that the said Sir John Biron, the head and ringleader of those Traytors, in a presumptuous and insolent way, wrote a Letter to one Master Clarke of Craughton a Gentleman of quality in the said County of *Northampton*, a Copy whereof is hereunto annexed, whereby most falsely and impudently he presumes to stile the faithfull, and dutyfull service of His Majesties good Subjects in apprehending and chasing the said Rebels by the name of treachery and rebellion, indeavouring to transfer that odious crime and title due unto himselfe to them, and using divers menacing speeches against Master Clarke, and others, thereby as much as in him lyeth to deterre His Majesties good Subjects from resisting him and his associates in their Traiterous attempts.

The Lords and Commons taking the same into their consideration, do declare that the Assembling together of the said Inhabitants of the County of *Northampton*, and their pursuing, apprehending, and chasing the said Rebels, was according to the lawes of the land and the duty they and all good Subjects owe to the King and Commonwealth, and their service very acceptable to both Houses of Parliament, who will take them and all others that shall follow their good examples into their care and protection.

To Master Clarke at Craughton neere Brackley in
Northamptonshire,

SIR,

*I*N my way to Oxford, I made some stay at Brackley to refresh my selfe, and my Horses, after a long march, where I was unexpectedly assaulted by sundry Troops of rebels that came (as I am since informed) from Northampton, and the adjoyning places, and withall most treacherously set upon by the Towne of Brackly, so that I was forced to make a speedy retreat to the Heath to resist them, had they had the courage to come forth of the Town. In this confusion one of my Grooms who had charge of my baggage was surprized in the Town, another who had a Box, wherein was money, apparell, and other things of value, left it in a land of standing corn, which since hath been found, and as I heare brought to you; I have therefore sent this Messenger to require the restitution of it; which if you doe, I shall represent it to his Majesty, as an acceptable service, if not, assure your self I will finde a time to repay my self with advantage out of your estate; And consider, that as rebellion is a weed of a hasty growth, so it will decay as suddenly and that there will be a time for the Kings loyal Subjects to repaire their losses sustained by Rebels and Traitors; So I rest in expectation of a speedy answer by this Bearer.

Oxford,

2 Sept. 1642.

Your Friend and Servant

John Biron.

13 Septemb. 1642.

Ordered by the Lords and Commons Assembled in Parliament, that this Declaration and Letter be forthwith Printed and Published.

John Brown Cleric. Parl.

FINIS.

The Impeachment of James Lord Strange Son and Heire apparant of William Earle of Derby, by the Commons assembled in Parliament, in the name of themselves and all the Commons of England, of high Treason.

THat the said James Lord Strange, to the intent and purpose to subvert the Fundamentall Laws and Government of this Kingdome of England, and the Rights and Liberties, and the very being of Parliaments, and to set sedition betwixt the King and his people; did upon the fifteenth day of July, in

this present yeer of our Lord God, 1643, at *Manchester*, in the County of *Lancaster*, and at severall other times and places, actually, maliciously, rebelliously, traiterously summoned, and called together, great numbers of his Majesties Subjects, and in sight, perswade and encourage them to take up Arms and leavy war against the King, Parliament, and Kingdom.

That the said *James Lord Strange*, in further prosecution of his foresaid wicked traiterous, and malicious purposes, did upon the said 15 day of *July*, at *Manchester* aforesaid, and at severall other times and places, actually, maliciously, rebelliously, and traiterously, raise great forces of men and horse, and leavy war against the King, Parliament, and Kingdom, and in further prosecution of the aforesaid wicked, traiterous, and malicious purposes, the said *James Lord Strange* and divers other persons, whom hee had drawne into his party and faction, did also upon the said fifteenth day of *July*, at *Manchester* aforesaid, maliciously, and traiterously, with force and arms, & in a hostile and warlike manner, kill, murder, and destroy *Richard Percivall*, of *Kirkmanshalme*, in the said County of *Lancaster*, *Linnen-Webster*, and did then and there, and at severall other times and places, in like hostile manner as aforesaid, shoot, stab, hurt and wound divers other of his Majesties good Subjects, contrary to the Lawes and peace of this Kingdome of *England*, and contrary to His Majesties Royall Crowne and Dignity; and the said *James Lord Strange*, hath set sedition betwixt the King and his people, and now is in open and actuall Rebellion against the King, Parliament, and Kingdome. For which matters and things, the Knights, Citizens, and Burgessees, of the House of Commons in Parliament assembled, doe in the name of themselves, and of all the Commons of *England*, Impeach the said *James Lord Strange* of high Treason, and the said Commons by protestation, saving to themselves the liberty of exhibiting at any time hereafter any other accusation or Impeachment against the said Lord *Strange* and also of replying to the Answers of the said *James Lord Strange* shall make to the Premises, or any of them, or any Impeachment or accusation that shall be exhibited by them, as the Cause, according to course and proceedings of Parliament, shall require; doe pray that the said *James Lord Strange*, may be put to answer all and every the premises, that such proceedings, examinations, trials, and judgements, may be upon them, and every one of them, had, and used, as shall be agreeable to Law and Justice.

An Order of the Lords and Commons in Parliament, for the apprehending of the said Lord, to be published in all Churches, and Chappels, Markets and Towns, in the Countie of Lancaster and Chester.

Die Veneris 16 Septembris, 1642.

VV Hereas the Lord *Strange*, having continued a long time, and still remayning in actuall Rebellion against his Majesty, and Parliament, is for the same Impeached of high Treason by the House of Commons, in the name of themselves, and all the Commons of *England*. It is therefore ordered by the Lords and Commons assembled in Parliament, that publication thereof be made in all Churches and Chappels, by the Curats and Church-wardens thereof, and in all Markets and Towns, by the Constables and Officers of the Townes within the Counties of *Lancaster* and *Chester*, to the end that all his Majesties loving Subjects may have notice thereof, lest they being deceived by the specious pretences made by the Lord *Strange*, should assist him with Men, Money, Munition, or any other Provision, and so make themselves guilty of the like Treason and Rebellion, and all Sheriffs, and other his Majesties Subjects are hereby required to doe their best endeavour for the apprehension of the said Lord, and the bringing him up to the Parliament, there to receive condigne punishment according to his demerits.

16 September, 1642.

Ordered by the Lords in Parliament Assembled. That this Impeachment, with the Order, shall be forthwith Printed and published.

John Brown Cler. Parl.

By the Committee of the Lords and Commons for the safety of King and Kingdome.

Die Sabathi 17. Septembris, 1642.

IT is this day ordered by the Committee of the Lords and Commons established for safety of the King and Kingdome: That all such persons as have heretofore presented any Horses or Geldings to be valued and enrolled by the Commissaries in London (and after they have been so valued and enrolled, doe still detain them in their own possessions) shall forthwith (upon sight or notice of this Order) deliver up to the said Commissaries the said Horses and Geldings respectively, to the end they may be by

them disposed off for the publick service, as by their enrolment was intended. Whereof the said persons may not fail as they tender the advancement of the publick good, and will answer their contempt of this Order on the contrary, and as they expect to receive payment or satisfaction for their said Horses.

Northumberland, Holland, Bullingbrook, Ed. Howard,
John Pym, Har. Grimston.

His Majesties Speech and Protestation, made in the head of his Army^{be-}
between Stafford and Wellington, the 19 of September 1642,
after the reading of His Orders.

Gentlemen,

YOU have heard these Orders read; It is your part in your severall places to observe them exactly: The time cannot be long before VVee come to Action, therefore you have the more reason to be carefull: And I must tell you, I shall be very severe in the punishing of thole, of what condition soever, who transgress these Instructions. I cannot suspect your Courage and Resolution; your Conscience and your Loyalty hath brought you hither to fight for your Religion, your King, and the Laws of the Land; you shall meet with no Enemies, but Traitors, most of them Brownists, Anabaptists and Atheists, such who desire to destroy both Church and State, and who have already condemned you to ruine for being Loyall to Vs. That you may see what use I mean to make of your valour, if it please God to blesse it with successe, I have thought fit to publish my Resolution to you in a Protestation, which when you have heard Me make, you will believe you cannot fight in a better Quarrell; in which I promise to live and die with you.

His Majesties Protestation.

I Do promise in the presence of Almighty God, and as I hope for his Blessing and Protection, That I will to the utmost of my power defend and mayntain *The true Reformed Protestant Religion, established in the Church of England;* And by the Grace of God in the same will live and die.

I desire to govern by *the knowne Laws of the Land*, and that *the Liberty and Property of the Subject* may be by them preserved with the same Care as my own just Rights. And if it please God, by his Blessing upon this Army raised for my necessary Defence, to preserve mee from this Rebellion: I doe solemnly and faithfully Promise in the sight of God, to mayntaine *the just Priviledges and Freedom of Parliament*, and to govern by *the known Laws of the Land* to my ut-

most power, and particularly to observe inviolably *the Laws consented to by this Parliament*. In the mean while, If this time of War, and the great necessity and straits I am now driven to, beget any violation of those, I hope it shall be imputed by God and Man to the Authours of this War, and not to mee, who have so earnestly laboured for the Preservation of *the peace of this Kingdom*.

When I willingly fail in these particulars, I will expect no Aid or Reliefe from any man, or Protection from Heaven; But in this Resolution I hope for the cheerfull Assistance of all good men, and am confident of GODS Blessing.

An Ordinance or Declaration of the Lords and Commons assembled in Parliament, shewing that all the Regiments of Foot, and Troops of Horse, in London, and all parts of England, shall within 48 houres after publication hereof, march to his Excellence, Robert Earle of Essex, to be employed for the defence of his Majesty and Kingdom the Priviledge of Parliament and Liberty of the Subject.

VV Hereas divers Regiments of Foot, and Troops of Horse, have long since been listed in the Army raised by the Parliament, for the defence of the King and Kingdome, under the command of Robert Earl of Essex, of which some are not marched away to their Rendezvous, according to their duty, and others are not of fitting numbers for service, yet all receive pay to the great charge of the Kingdome, and by this their neglect doe great prejudice to the publicke Cause; In which Religion, Laws and Liberty, are so much concerned. It is therefore Ordained and Declared by the Lords and Commons in Parliament assembled, That such Regiments of Foot, as consists of foure hundred men or more, and Troops of Horse, as consist of forty or more, shall within forty eight houres after publication hereof, march towards the place where they shall understand the Lord Generall to be, except by speciall Order they be directed to any other place; And they shall not stay by the way longer then for their necessary refreshment; And such Regiments or Troops as shall fail herein, or shall not consist of such numbers as is before specified, That is to say, a Regiment of Foot of foure hundred, and a Troop of Horse of forty, shall be cashiered and also liable to such further punishment, as upon examination of the cause of their failing, and neglect, shall be found that they have deserved. And the common Souldiers of such Regiment or Troop so cashiered, shall be disposed of, for the filling up and recruiting of others.

Yet in regard the Captains of some Regiments which have not the number

of four hundred, may have been carefull to raise and compleat their own Companies. And that there is no reason they should suffer for the default of others; either the Colonels or other Captains that have not bin so carefull. It is thought fit, that such Captain of any Regiment now to be cashiered, as shall have his Company compleat, shall be continued in his entertainment, together with his Company, and shall march unto the place where the Lord Generall shall be, to be disposed of by him in any other Regiment, or otherwise imployed as his Lordship shall think fit.

And it is further declared, That the Regiments of Colonell *Essex*, and Colonell *Balford*, shall not be understood to be within this Order, in regard both those Colonels have bin. and yet are employed in the service of the State; And their absence may be a cause, that their Regiments are not in that forwardnesse that otherwise they would have bin. But they are hereby enjoyned with all possible speed to march unto the Army.

Die Veneris, 23 Septemb. 1642.

Ordered by the Lords and Commons in Parliament, That this Declaration shall be forth-with Printed and published.

John Brown, Cleric. Parliament.

F I N I S.

Die Sabbathi Septemb. 24, 1642.

VHereas, this Kingdom and Common-wealth hath been put to a great and vast charge by Delinquents and an ill-affected Party, which if it be not discharged by them and their Estates, must necessarily lye as a burthen upon the good Subjects that have no way deserved it. It is therefore thought fit and ordered by the Commons assembled in Parliament, That the Houses of Delinquents or ill-affected Persons shall not be plundered, pulled down or Destroyed; but reserved for the benefit and advantage of the Common-wealth, they being now considered rather as the Houses of the Common-wealth then of Delinquents; and accordingly to be so preserved, as they yield more profit and advantage to it.

Ordered by the House of Commons, that this be forthwith Printed and published.

H. Elsing Cler. Parl. Dom. Com.

The

The humble Petition of the Lords and Commons in Parliament, to his sacred Majesty: sent by Sir Philip Stapleton to his Excellency the Earle of Essex, and by him to be presented to his Majesty.

WHE your Majesties loyall Subjects, the Lords and Commons in Parliament, cannot without great grieve and tenderesse of compassion behold the pressing miseries, the eminent dangers, and the devouring Calamities which extremely threaten, and have partly seized upon both your Kingdomes of *England* and *Ireland*, by the practises of a party prevailing with your Majesty, who by many wicked plots and conspiracies have attempted the alteration of the true Religion, and the ancient Government of this Kingdom, and the introducing of Popish Idolatry and Superstition in the Church, and Tyranny and confusion in the State, and for the compassing thereof, have long corrupted your Majesties Councils, abused your power, and by suddain and untimely dissolving of former Parliaments, have often hindered the reformation and prevention of those mischiefs. And being now disabled to avoid the endeavours of this Parliament by any such means, have traiterously attempted to over-aw the same by force; And in prosecution of their wicked designs, have excited, encouraged, and fostered an unnaturall Rebellion in *Ireland*, by which, in a most cruell and outrageous manner many thousands of your Majesties Subjects there have been destroyed. And by false slanders upon your Parliament, and malicious and unjust accusations have endeavoured to begin the like Massacre here. And being through Gods blessing therein disappointed, have (as the most mischievous and bloody designe of all) drawn your Majesty to make War against your Parliament, and good Subjects of this Kingdom, leading in your Person an Army against them, as if you intended by Conquest to establish an absolute and illimited power over them, and by your power and the countenance of your presence have ransacked, spoiled, imprisoned and murdered divers of your people, and for their better assistance in their wicked designs, doe seek to bring over the Rebels of *Ireland* and other Forces beyond the Seas to joyn with them; And we finding our selves utterly deprived of your Majesties protection, and the Authours, Councillors, and Abettors of these mischiefs in greatest power and favour with your Majesty, and defended by you against the Justice and Authority of your high Court of Parliament, whereby they are growne to that height and insolence as to manifest their rage and malice against those of the Nobility and others who are any whit inclinable unto Peace, not without great appearance of danger to your own Royall Person; If you shall not in all things concurre with

with their wicked and traitorous courses, have for the just and necessary defence of the Protestant Religion, of your Majesties person, Crown, and Dignity, of the Laws, and Liberties of the Kingdome, and the Priviledges and power of Parliament, taken up Armes and appointed, and authorized *Robert Earle of Essex* to be Captain Generall of all the Forces by us raised, and to lead and conduct the same against these Rebels and Traitors, and them to subdue, and bring to condigne punishment. And doe most humbly beseech your Majesty to withdraw your Royall presence and countenance from these wicked persons, and if they shall stand out in defence of their rebellious and unlawfull attempts, That your Majesty will leave them to be suppressed by that power which we have sent against them, and that your Majesty will not mix your owne dangers with theirs; but in peace, and safety without your Forces forth-with return to your Parliament, and by their faithfull counsell and advice compose the present distempers and confusions abounding in both your Kingdoms, and provide for the security and honour of your selfe and your Royall Posterity, and the prosperous estate of all your Subjects, wherein if your Majesty please to yield to our most humble and earnest desires, we do in the presence of Almighty God profess that we will receive your Ma. with all honour, yield you all due obedience and subjection, and faithfully endeavour to secure your Person and Estate from all dangers, and to the uttermost of our power to procure and establish to your self, and to your people, all the blessings of a glorious and happy Reign.

Ordered by the Lords and Commons in Parliament, that this Petition be forthwith printed and published. FINIS. H. Elsing Cler. Parl. Dom. Com.

*His Majesties Speech to the Inhabitants of Denbigh and Flintshire,
27 September 1642.*

Gentlemen,

I Am willing to take all occasions to visit all my good Subjects, in which number I have cause to reckon you of these two Counties, and having lately had a good expression of your loyalty and affections to mee by those Levies which at your charge have been sent me from your parts (which forwardness of yours, I shall always remember to your advantage) and to let you know how I have bin dealt with by a powerfull malignant party in this Kingdome, whose Designs are no lesse then to destroy my Person and Crowne, the Laws of the Land, & the present Government both of Church and State. The Leaders of these men by their subtilty and cunning practices have so prevailed upon the meaner sort of people about *London*, that they have called them up into frequent and dangerous Tumults, and thereby have chased from thence my self, and the greatest part of the Members of both Houses of Parliament; Their power and secret plots have had such influence upon the small remayning part of both

How

Houſes, that under colour of Orders and Ordinances made without the Royall aſſent (a thing never heard of before this Parliament) I am rob'd and ſpyol'd of my Townes, Forts, Caſtles, and Goods, my Navy forcibly taken from mee, and employ'd againſt mee, all my Revenue is ſtopt and ſeized upon, and at this time a powerfull Army is marching againſt me. I wiſh this were all; They have yet further labour'd to alienate the affections of my good People, they have moſt injuriouſly vented many falſe reproches againſt my perſon and Government, they have diſperſed in print many notorious falſe ſcandals upon my actions and intentions, & in particular have labour'd to caſt upon me ſome aſperſions concerning the horrid bloody, and impious Rebellion in *Ireland*. They tell the people that I have recalled two Ships appointed for the Guard of theſe Seas, 'tis true: but they conceal that at the ſame time I ſent my Warrants to the *Downs*, commanding 4 as good Ships to attend that ſervice in ſtead of thoſe ſhould be recalled, which Warrant by their means could not find obedience. They forget that they then employ'd forty Ships (many of them my own, and all of them ſet forth at the publick charge of this and that Kingdom, to rob and pillage me of my goods, to chaſe my good Subjects, and maintain my own Town of *Hull* againſt me. And that by the abſence of thoſe Ships from the *Iriſh* Seas, the Rebels have had opportunity to bring ſtore of Arms, Ammunition, and ſupplies to their ſuccours (to which we may juſtly impute the calamities, which have overwhelmed my poore Proteſtant Subjects there.) They cry out upon a few ſuits of cloaths appointed (as they ſay) for *Ireland*, which ſome of my Forces took, but conceal that they were taken as entering into *Coventry* (then in open rebellion againſt mee) where I had reaſon to believe they would have bin diſpoſed of amongſt their ſouldiers who then bore arms againſt me: they talk of a few horſes which I have made uſe for my carriages (concealing that they were certified to be uſeleſs for the ſervice of *Ireland*) when they themſelves have ſeized 100000 pounds particularly appointed by Act of Parliament for the relief of *Ireland* (where my Army is ready to periſh for want of it) and employ'd it (together with ſuch part of the 400000 l. ſubſidy as they have received) to maintain an unnaturall Civill War at home. Neither have they uſed their fellow Subjects better then they have done me their King. By their power the law of the land (your birth-right) is trampled upon and in ſtead thereof they govern my people by Votes & arbitrary Orders. Such as will not ſubmit to their unjuſt unlimited power are impriſoned, plundered, and deſtroyed, ſuch as will not pay ſuch exactions as they require towards this rebellion are threatned to be put out of Protection (as they call it) of the Parliament, ſuch as conſcienſiouſly remember their duty & loyalty to me their Sovereign are reviled, perſecuted, and declared traiterous, ſuch as do deſire to maintain the true Proteſtant Religion, as it is eſtabliſhed by the Laws of the Land are traduced

and called Popish, and superstitious; And on the contrary such as are knowne Brownists, Anabaptists, and publick depravers of the Book of Common Prayer, are countenanced and encouraged. They exact, and receive Tunnage, and Poundage, and other great duties upon Merchandizes, not onely without law, but in the face of an Act of Parliament to the contrary, past this present Parliament, which puts all men into the condition of a *Pramunire* that shall presume so to oppress the People. If you desire to know who are the contrivers of these wicked designs, you shall find some of their names in particular, and their actions at large in my Declaration of the 12 of *August* (to which I shall refer you) I wish their craft and power were not such, that few of those copies can come to the view of my good people, since that time these men so thirst after the destruction of this Kingdom, that they have prevailed to make all my offers of Treaty (which might bring peace to this Kingdome, and beget a good understanding between me and my Parliament) fruitles. In this distresse into which these men have brought me, and this Kingdom, my confidence is in the protection of Almighty God, and the affections of my good People, and that you may cleerly see what my resolutions are, I shall cause my voluntary Protestation lately taken to be read to you, And I desire that the Sheriffs of these two Counties will dispose copies of that and what I now deliver unto you, having no other way to make it publick; these men having restrained the use of my Presses at *London*, and the Universities.

FINIS.

*A Letter sent from the Earle of Leicester to the Earle
of Northumberland.*

MY LORD,

THough I have written thrice to the Commissioners for the Affairs of *Ireland*, since my coming from *London*, to give them account of my stay at Court, & that I have also written severall Letters to some particular friends in hope that thereby the truth might be known & my self rightly understood: Yet because those Letters peradventure may have miscarried, and lest I should incur the censure of the Parliament for negligence or slacknes in that service, to which I have bin designed, I will truly and as briefly as I can relate to your Lordship how I have behaved my self; And if your Lordship please, you may communicate it the House of Peers, as in your judgment and favour to me you shall think fit; and I hope it will appear, that as I have bin very impatient of this delay, so I have not wanted diligence in the solicitation of my dispatch.

When I came to *Tork*, I told the King that I was come thither to receive His Majesties commandements and instructions for that imployment, which he had

done

done mee the honour to confer upon mee, and I did humbly beseech him that I might not be stayed at Court; because the Parliament did desire my speedy repair into *Ireland*, and that his service, as I conceived did require it, at least that some governour (if I were not thought worthy of it) should be presently sent into that Kingdom. The King told me that he would think of it, but I must confesse I did not find His Majesty so ready to dispatch mee as I hoped and expected; From that time I did not fail to beseech His Majesty to send mee away upon every opportunity that I had of speaking to him, and I think there passed not a day that I did not desire the Secretaries of State and some other persons about the King to put His Majesty in mind of me, and to hasten my dismissal; And divers times I made it my Petition to the King that he would dispatch me, or, declare His intention that he would not let mee go at all; the King said my instructions should be drawn, and that hee would give order to Mr. Secretary *Nicholas* to do it as speedily as he could; in expectation whereof, I stayed about three weeks, till the King came from *York*, when His Majesty appointed me to follow him to *Nottingham*, and there I should have my expeditions, I obeyed His Majesty and came after him to this Town where I have attended ever since, perpetually soliciting to be dispatched, and beseeching His Majesty that I might either go to my employment, or have His leave to retire my selfe to my own house and private condition; That if he were unwilling to trust me in an employment of so great importance, I did beseech him that I might be no burthen to his thoughts; And that he would be so gracious as to let mee know his resolution, for I conceived my self to be under a heavy censure both of the Parliament, and of the whole Kingdome, whilst possibly they might thinke it my fault that I was so long absent from that charge which I had undertaken. It is to no purpose to tell you every passage, but this I protest to your Lordship, That if it had bin to save the lives of all my friends, and of my self, I could not have done more to procure my dispatch; Neverthelesse I have not been able to advance it one step, nor have I seene any token to make mee hope to have it quickly till this morning, when Master Secretary *Nicholas* gave me a draught of my instructions to peruse, and so I hope that betweene this and *Munday* I shall have done that part. And I will do the best I can in procuring some other thing, without which I know not how I shall be able to doe any acceptable service in that Kingdome, your Lordship knows I am a servant, and I could not run away if I would, or at least it had bin to little purpose though I should have adventured to doe so undecent, and so undutifull an action; Therefore I hope it will be believed that I have not bin to blame; now with your Lordships leave, I shall trouble you with another particular, wherein perhaps I suffer in the opinion of them that know not what hath passed, though I be as innocent as a new born Child, nay, I have opposed it as much as I had power to

doe so. The King being informed at *York* by some officious persons that there were certain draught Horses provided to be sent into *Ireland*, His Majesty told me that he must needs have them for his own use, I did humbly beseech him not to take them away from his own service in *Ireland*, for which they were bought, and in which they were to be employed, and besides what I said my self, I made means by others to save the Horses, so as I heard no more of it, till I came hither, but then His Majesty told me again that he must needs have those Horses, and would have me send for them; I represented to His Majesty the inconsiderableness of those few Horses, and that the Parliament might take it very ill in regard that the Horses were bought with their money for the service of the poor Kingdom of *Ireland*, therefore I did beseech him not to take them, or howsoever that he would secure me from being an instrument in that which I conceived would much hurt his Affairs, and that I being trusted by the Parliament, could neither do it my selfe, nor consent that any other should doe that which was a breach of trust, and a great disservice even to His Majesty Himselfe. Notwithstanding this, the King sent unto me by Master *Endimion Porter*, and Sir *George Hay* at severall times to the like purpose, but I returned the same Answer, adding this also that I could not do it, and be an honest man to his service, though it be true that the King said he would restore the Horses or pay for them: But for all this, It pleased His Majesty to imploy one *Errington* that served mee, and gave him a Warrant to fetch the Horses *Errington* told me of it, I forbade him as far as I could to do it, and told him that if he did it, he must not look to have any thing more to do with mee for ever, and further that I made no doubt but the Parliament would hang him for stealing their Horses, This and more I said to *Errington* in the presence of *James Bastiere* my Secretary who will witness it. And conceiving it to be an unjust thing in it self, displeasing to the Parliament, & hurtful to the Kings service. I protested against it, though *Errington* said, His Majesty had commanded him upon his allegiance to execute the Warrant: But indeed I told him, that I did not believe him nor could think that His Majesty would command a Subject upon his Allegiance to take away other mens Horses; This I thought sufficient, but it seems I was deceived, for *Errington* without my consent or knowledge went from *Nottingham* towards *Chester* as I heard afterwards, and I have never seen him since nor heard from him, what he hath done, I donot know, But I sent to *Chester* that the Horses should be presently shipt away, and I caused my Secretary to write to Master *Hawkin* to take care that neither *Errington*, nor any body for him should receive any more money of Master *Loftus* or his Deputy, to provide the rest of the Horses, for as yet I think there hath been onely sixteene hundred pounds issued to buy two hundred of the six hundred Horses allowed by the Parliament; And of that sixteen hundred pounds I will doe the best I can to get a good account whereof the Parliament God willing shall be informed.

with my best care and diligence : Truly my Lord. I doe the best I can to serve my Country, they that are wiser may doe more, but of any thing contrary to the duty of an honest man, the Parliament upon strickt examination shall never find me guilty, for the reputation of honesty and fidelity is (and I can say no more) as deare unto me as your esteeming me,

Your Lordships humble and Affectionate servant
LEICESTER.

Die Lunæ Septemb. 26. 1642.

Ordered by the Lords in Parliament, That this Letter shall be forth-with printed and published.
J. Brown Cler. Parliamentorum.

His Majesties Speech to the Gentlemen, Freeholders, and other Inhabitants of the County of Salop at Shrewsburie the 28. of September. 1642.

GENTLEMEN,

IT is some benefit to me, from the Insolencies and Misfortunes which have driven me about, that they have brought me to so good a part of my Kingdome, and to so faithfull a part of my People ; I hope neither you nor I shall repent my coming hither, I will doe my part that you may not, and of you I was confident before I came. The residence of an Army is not usually pleasant to any place, and mine may carry more feare with it, since it may be thought (being robbed and spoyled of all my own, and such terrour used to fright and keep all men from supplying me) I must onely live upon the aide and reliefe of my People ; But be not afraid : I would to God my poore Subjects suffered no more by the Insolence and Violence of that Army raised against me (though they have made themselves wanton even with plenty) then you shall do by mine ; and yet I feare I cannot prevent all disorders : I will do my best, and this Ile promise you, no man shall bee a loser by me, if I can help it.

I have sent hither for a Mint ; I will melt downe all mine owne Plate, and expose all my Land to sale or Mortgage, that, if it be possible, I may bring the least pressure upon you : In the mean time, I have summoned you hither, to invite you to doe that for me and your selves, for the maintenance of your Religion, and the Law of the Land (by which you enjoy all that you have) which other men doe against Us. Do not suffer so good a cause to be lost for want of supplying me with that which will be taken from you, by those who pursue me with this violence ; And whilst these ill men sacrifice their Money, Plate, and utmost Industry to destroy the Common-wealth, be you no lesse liberrall to preserve it : Assure your selves, if it please God to blesse me with successe, I shall remember the Assistance every particular man here gives me, to his Advantage. However, it will hereafter (how furiously soever the mindes of men are now

possessed) be honour and comfort to you, That with some charge, and trouble to your selves, you did your part to support your King, and preserve the Kingdom.

I desire Master Sheriff, and the rest of the Gentlemen, to distribute themselves in that Method, that they may best receive the expressions which you shall make of your affections, the which I will have particularly represented to me.

DIE SEPTEMBR. 29. 1642.

THe Lords and Commons in Parliament do conceive and find it so necessary that 1000. Dragoones, with some Troopes of Horse should be raised speedily, and be set forth for the suppressing of the Malignant Party in Lancashire, and such other parts, as my Lord Generall shall appoint for protecting the well affected people, and preventing of forreigne Power from landing, that it will not onely be taken and resented by the House for an acceptable Service in a time of great need, if any the well affected and disposed persons of the City of London shall advance the summe of sixteen thousand pounds, for setting forth of such a Power. But do declare, that such Advancers shall have the publicke faith for the repayment of such moneys so to be advanced with Interest after eight pound *per cent.* As also shall be taken into consideration by the House, for a further recompence of their so forward and pious Act in a time of so great necessity and danger.

It is ordered by the House, that Sir John Wolleston, John Towse, John Warner, and Tho. Andrewes, Aldermen of the City of London, are appointed Treasurers for the foresaid Subscription Moneys.

All persons who are willing to goe Souldiers in the Service under Colonell Sir John Seton as Dragooneers, are to resort to Captaine Henry Legh at the signe of the Sun neere Cripple-gate and Captain William Stackhouse, at his house in Saint Thomas Apostles, and there are to be listd for that Service.

Ordered by the House of Commons that this be forthwith printed and published.

Hen. Elsing, Cleric. Parliament. D. Com..

By the King.

His Majesties Proclamation for the Adjournment of part of Michaelmasse Term.

THe Kings most Excellent Majestie taking into His Princely consideration the present miserable condition of His People of this His Kingdom, and the many Distractions whereinto they are fallen, and how impossible it is like to be for such as have Causes and Suits in Law to travel, and follow and prosecute the same, hath resolved, for the Safetie, Ease, and Relief of His people, to Adjourn part of the next Term of Michaelmas now at hand, That is to say, From the first Return thereof, called

led A die Sancti Michaelis in tres Septimanas, untill the Return of In O^rabis Sancti Martini next ensuing. His Maie^{ties} therfore of His especiall Favour and Clemencie doth hereby Declare, That he is pleased and contented to Adjourn the said Term of S. Michael, That is to say, From the Return of A die Sancti Michaelis in tres Septimanas unto the said Return of In O^rabis Sancti Martini, which His Maie^{ties} signifieth to all and singular His loving Subjects of this his Realm, to the intent that they and every of them which hath cause or commandment to appear in any of His Maie^{ties} Courts at Westminster, In or at the said Return of A die Sancti Michaelis in tres Septimanas, or in, or at any day or time from and after the said Return of A die Sancti Michaelis in tres Septimanas, and before the said Return of In O^rabis Sancti Martini, may tarry at their dwellings, or where their businesse otherwise shall lie, without resorting to any of the said Courts so that cause before the said Return of In O^rabis Sancti Martini next comming and that without danger of Forfeiture, Penaltie, or Contempt to incurre towards His Maie^{ties} in that behalf.

And nevertheless His Maie^{ties} pleasure is, that two of His Justices, that is to say, of either Bench one, shall the first day of the Term of S. Michael, called A die Sancti Michaelis in tres septimanas, according to the ancient order of the Lawes, keep the Cloynes of the said A die Sancti Michaelis in tres septimanas, at which Return of A die Sancti Michaelis in tres septimanas, Wh^{ich} of Adjournment shall be directed to the said Justices, giving them authority to Adjourn the said Term of S. Michael, that is to say, A die Sancti Michaelis in tres septimanas untill the said Return of In O^rabis Sancti Martini, as before is said: And the said Adjournment shall be made in the first day of the said A die Sancti Michaelis in tres septimanas commonly called the day of the Cloynes.

And further, His Maie^{ties} pleasure is, that all Matters, Causes and Suits, depending in any of His other Courts between party and party, as in His Highnesse Courts of Chancerie and Exchequer, Courts of Wards and Liveries, and Dutchy of Lancaster shall have continuance, and the parties shall have day, from the date of these presents unto In O^rabis Sancti Martini, as before is said: Willing and commanding all and every of His Maie^{ties} Officers, Ministers, and Subjects, to whom it doth or shall appertain, to observe and keep their Assemblies & Appearances with all their Returns, and Certificates in His Highnesse said Courts at Westminster, In O^rabis Sancti martini next, then and there to be holden and kept and there to do their Offices, and duties in every behalfe, in like manner and form as they should, or ought to have done, if this present Proclamation had not been had, or made, as they will answer the contrary at their perils.

Given at Our Court at Shrewsbury, the fourth day of October, in the eighteenth yeere of Our Reigne.

God save the King.

By the King.

A Proclamation for the better peace and quiet of Our County of Salop.

Since We came into this County, We have found by very probable information, That although the greatest number of Our Subjects have, with much Alacrity, expressed their duties & affections to Us, yet some persons of good quality in this County, either maliciously affected against Our Person and Government, or ignorantly misled and seduced by the wicked and traiterous persuasions of others, have bin very busie in raising, uttering, or dispersing of Scandalous and Seditious Speeches, tending to the slander of Our Person, and government, of purpose to alienate the affections of Our Subjects against Us, and unnaturally and Traiterously to stir up War and Rebellion against Us in this Our Kingdom. And whereas Robert Earle of Essex, and others his Adherents, have traiterously stirred up, and leveded war against Us, and for divers weeks now past, have been in open Rebellion against us; And many of Our own Subjects, Inhabitants of this County, contrary to their duty and Allegiance, some in their own persons, and others by sending Horses, Arms, Men, Ammunition, Money, Plate, & other things of value have contributed towards the maintenance of those Forces, which have bin thus traiterously and rebelliously raised against Us, whereby they have run themselves into the Crimes of high Treason, & deserve that there should be a proceeding against them by due course of Law for the same.

And whereas amongst others We have received very good Information, That Thomas Nichols Esquire and Humphrey Mackworth Esquire, both of Our Town of Shrewsbury, and Thomas Hunt Esquire (taking upon him to be Captain of the Militia) have been very active against Us, and ever since Our coming into these parts have absented themselves, and have not only refused to give Us assistance, as in duty, and according to their Allegiance they are bound to the evill example of others, but also have assisted Our Adversaries in a deep measure, and have encouraged others to the like.

We have therefore thought it fit to publish and declare That We purpose to proceed in a legall way against the said Thomas Nichols, Humphrey Mackworth, and Thomas Hunt; And to that end We do hereby straightly charge and command Our high Sheriffe of this County, now, and for the time being, all Our Justices of Oyer & Terminer, Our Justices of Peace, Mayors, Bayliffs, Constables, and other Our Officers and loving Subjects, That they do their uttermost endeavours to apprehend the said Thomas Nichols, Humphrey Mackworth, and Thomas Hunt, and them safely to keep in Custody, as persons charged by Us with high Treason; And if any others, to the disquieting of the peace of this Our County shall in our absence attempt any thing to Our disservice in maintenance of the said Rebellion, We straightly charge and command, that they also be apprehended and committed, and proceeded against according to the law.

And We further will and command, That if now Our Army is gone from Our Town of Shrewsbury, and may shortly remove out of this County, as occasion shall require, any Souldiers who should serve Us in Our Army, depart from their Colours, and linger and abide in this County or elsewhere, that they be apprehended and put into safe custody: And if they have committed any Robbery or Rapine upon Our loving Subjects contrary to Our Lawes, that they be proceeded against forthwith by Our Commissioners of Oyer and Terminer, according to the due course of law, as others by Our directions have already been proceeded against. But if they cannot be justly charged with any such offences, that then they be sent from Constable to Constable to Our Army, and delivered to their respective Captaines there to serve Us, or to be punished according to the Law or Custome partiall, as their cases shall deserve.

Given at Our Court at Bridgnorth the fourteenth day of October, in the eighteenth yeare of Our Reign. 1642.

Die Lunæ October, 4. 1642.

IT is this day Ordered by the Lords and Commons assembled in Parliament: That such Persons as will advance Horses and Armes towards the furnishing of the Thousand Dragoniers, mentioned in an Order of both Houses of Parliament, made the nine and twentieth of September last, shall have the Publique Faith for their security for the prices thereof, with such other recompence as the Subscribers of the sixteene thousand pounds mentioned in the same Order are to have, and that Master Maximillian Bard and others already appointed; for buying Horses for the said Thousand Dragoniers, or any three of them shall be persons appointed for the valewing and prising of the said Horses and Armes so to be Advanced. And the Horses are to bee brought to Moore-fields, there to be viewed and prised.

All persons who are willing to go Souldiers in the Service under Collonell Sir John Seton, as Dragoniers, are to resort to Captain Henry Legh, at the signe of the Sun neare Cripple-gate; and Captain William Stackhouse at his house in Saint Thomas Apostles, and there are to be listed for that Service.

Ordered by the House of Commons that this be forthwith printed and published.

Hen. Elsyng, Cler. Paul. D. Com.

The Declaration and Votes of the Lords and Commons assembled in Parliament, concerning the late Treaty of Peace in Yorkshire.

VPon perusall of certaine Articles dated the 29. of September 1642. betwixt the Lord *Fairefax*, and divers other well affected to the Peace of the Kingdome, and Master *Bellasis* and others who have declared themselves in sundry Actions, opposers of the proceedings of the Parliament, and furtherers of the war raised against them, and of many grievous pressures lately exercised upon the good subjects, Inhabitants of the County of *Torke*, And being confident, that if the Lord *Fairefax* and the rest of the Gentlemen on his part had knowne by what Acts and designs this agreement was plotted on the other side, and how dangerous and mischievous it must needs be both in the effect, and in the consequence, their good intentions to the peace of that County, and of the Kingdom, are such, that they would never have consented to any thing so prejudiciall thereunto, as this seeming Neutrality would be, by making that County many wayes serviceable to those ill counsels, whereby his Majesty is incited against his subjects, and no way usefull to the Parliament, in protecting of them. Wherefore the Lords and Commons do declare,

First, that none of the parties to that agreement had any authority by any Act of theirs, to bind that County to any such Neutrality as is mentioned in that agreement, it being a peculiar and proper power and priviledge of Parliament, where the whole body of the Kingdome is represented, to bind all or any part thereof.

2 That it is very prejudiciall and dangerous to the whole Kingdome, that one County should withdraw themselves from the assistance of the rest, to which they are bound by Law, and by severall Orders and Declarations of Parliament.

3 That it is very derogatory to the power and authority of Parliament, that any private men should take upon them to suspend the execution of the Ordinance of the Militia, declared by both Houses to be according to Law, and very necessary at this time for the preservation of the peace and safety of the Kingdome.

4 That many things in that agreement are very unequall, contrary to the nature of a Neutrality, (being much more advantageous to one side, then to the other) prejudiciall to the publique defence of the Kingdome, undertaken by the Parliament, and would be a great impediment to that good agreement betwixt his Majesty and his subjects, which both Houses doe so earnestly desire and endeavour.

For these and other reasons, we hold our selves bound in conscience, in performance of the severall Protestations that we have made, to hinder all further proceedings

proceedings upon that agreement: And therefore it is Ordered by both Houses of Parliament, that no such Neutrality be observed in that County, which will advantage the Forces raised against the Parliament, and no way benefit *Yorkshire*, but rather most dangerous to them by keeping that County without any defensive force, whereby it will be open to the King to bring backe his Army at his pleasure, and to make that his winter quarter, to which the plenty of that County, and neernesse of *Newcastle* for supplies by Sea, are like to invite him; whereby it will become the Seat of the Warre, and if this should not fall out, yet if the rest of the Kingdome be suppressed, what hope can *Yorkshire* have but to be involved in the publique misery? And therefore in wisdom for themselves, and justice to the State, they ought not to withdraw themselves from the common cause, but to joyne with the Parliament in the defence of the Religion and liberty of the whole Kingdome, and with them to labour by all good meanes to procure a generall Peace, and protection from the King for all his Subjects, which both the Houses of Parliament have by many humble Petitions desired of his Majesty, but cannot yet obtain; And if they should suffer any particular Counties to divide themselves from the rest of the Kingdom, it will be a meanes of bringing all to ruine and destruction; Wherefore it is further declared, that neither the Lord *Fairfax*, nor the Gentlemen of *Yorkshire*, who are parties to those Articles, nor any other Inhabitants of that County, are bound by any such agreement, but they are required to pursue their former Resolutions, of maintaining and assisting the Parliament in defence of the common cause, according to their generall protestation, wherein they are bound with the rest of the Kingdome, and against the particular Protestation by themselves lately made; And according to such Orders and Commissions as they shall receive from both Houses of Parliament, from the Committee of Lords and Commons appointed for the safety of the Kingdome, or from the Earle of *Essex* Lord Generall.

Die Martis, Octob. 4. 1642.

*Resolved upon the Question by the Lords and Commons
assembled in Parliament.*

THat Master *Hotham*, and Sir *Edward Rodes*, and other the Committees for raising of Money, Plate, and Horse, for the defence of King and Kingdom in the County of *York*; And such as they or any two of them shall nominate, shall be Commissioners for the advancing and raising of Monies, Horse, and Plate upon the propositions, and shall have power to appoint Commissaries to value the Horse, and Treasurers to receive the Monies and Plate.

Resolved upon the Question, &c.

That Master *Hotham* and Sir *Edward Rodes*, shall have the like Instructions as other Counties, with this addition that they shall have power to seize and apprehend all Delinquents that are so Voted by the Parliament, and all such others as Delinquents, as have or do shew themselves opposite and disobedient to the Orders and proceedings of Parliament.

Resolved upon the Question, &c.

That the fourth Article of the Lord Generals Instructions shall be extracted and sent to Master *Hotham* &c. with power to them to publish it.

The fourth Article of the Lord Generals Instructions.

YOU shall publish and declare, that if any, who have been so seduced by the false aspersions cast upon the proceedings of the Parliament, as to assist the King in the Acting of those dangerous Counsels, shall willingly within ten dayes after such publication in the Army returne to their duty, not doing any hostile Act within the time limited, and joyne themselves with the Parliament in defence of Religion, his Majesties Person, the Liberties and Lawes of the Kingdom, and priviledges of Parliament, with their persons and estates, as the Members of both Houses, and the rest of the Kingdom have done; That the Lords and Commons will be ready upon their Submission to receive such persons in such manner as they shall have cause to acknowledge they have been used with clemency and favour; provided, that this shall not extend to admit any man into either House of Parliament who stands suspended, without giving satisfaction to the House whereof he shall be a Member; And except all persons who stand impeached, or particularly voted in either House of Parliament for any delinquency whatsoever; Excepting likewise such Adherents of those who stand impeached in Parliament of Treason, as have been eminent persons and chiefe actors in those Treasons, And except the Earle of *Bristol*, the Earle of *Cumberland*, the Earle of *Newcastle*, the Earle *Rivers*, Secretary *Nicholas*, Master *Endimion Porter*, Master *Edward Hide*, the Duke of *Richmond*, the Earle of *Carnarvan*, the Lord Viscount *Newarke*, the Lord Viscount *Faulkland*, one of the principall Secretaries of State to his Majesty.

The humble Petition of the Lords and Commons assembled in Parliament.

WEe your Majesties most loyall subjects, the Lords and Commons in Parliament, cannot without great griefe and tendernesse of compassion behold the pressing miseries, the imminent dangers, the devouring calamities which doe extremely threaten, and have partly seized upon both your Kingdomes

domes of *England* and *Ireland*, by the practises of a party prevailing with your Majesty, who by many wicked plots and conspiracies have attempted the alteration of the true Religion, and the ancient Government of this Kingdom, and the introducing of Popish Idolatry and Superstition in the Church, and tyranny, and confusion in the State, and for the compassing thereof, have long corrupted your Majesties Councils, abused your power, and by sudden and untimely dissolving of former Parliaments, have often hindred the Reformation and prevention of those mischiefs, and being now disabled to avoyd the endeavours of this Parliament by any such means, have traiterously attempted to overawe the same by force, and in prosecution of their wicked designs have excited, encouraged, and fostered an unnaturall rebellion in *Ireland*. By which in a most cruell and outrageous manner, many thousands of your Majesties subjects there have been destroyed, and by false slanders upon your Parliament, and malicious and unjust accusations have endeavoured to begin the like Massacre here, and being through Gods blessing, therein disappointed, have as the most mischievous and bloody designe of all, drawne your Majesty to make war against your Parliament, and good subjects of this Kingdom, leading in your person an Army against them, and as if you intended by conquest to establish an absolute unlimited power over them.

And by your power, and the countenance of your presence have ransaked, spoiled, imprisoned, murdered divers of your people, and for their better assistance in these Wicked designs, do seeke to bring over the Rebels of *Ireland*, and other forces beyond the seas, to joyne with them. And wee finding our selves utterly deprived of your Majesties Protection and the authors, counsellors, and abettors of these mischiefs, in greatest power and favour with your Majesty, and defended by you against the Justice and authority of your high Court of Parliament, whereby they are grown to that height and insolence, as to manifest the rage and malice against those of the nobility and others who are any whit inclinable to peace, Not without great appearance of danger to your owne Royall person, If you shall not in all things concurre with their wicked and Traiterous courses. Have for the just and necessary defence of the Protestant Religion, of your Majesties person, Crown and dignity; of the laws and Liberties of the Kingdom, and the Priviledge and power of Parliament; taken up Armes and appointed and authorised *Robert Earle of Essex* to be Captaine Generall of all the forces by us raised, and to lead and conduct the same against these Rebels and Traitors, and them to subdue and bring to condigne punishment.

And doe most humbly beseech your Majesty to withdraw your Royall presence, and countenance from these wicked persons, and if they shall stand out in defence of their Rebellious and unlawfull attempts, that you will leave

them to be suppressed by that power which we have sent against them, And that your Majesty will not mix your owne danger with theirs: but in peace and safety, without your forces, forthwith returne to your Parliament, and by their faithfull Councell and advice, compose the present distempers and Confusions abounding in both your Kingdomes, and provide for the security and honour of your Royall posterity, and the prosperous estate of all your Subjects, wherein if your Majesty please to yeild to our most humble and earnest desires, we doe in the presence of Almighty God professe, that we will receive your Majesty with all Honour, yeild you all due obedience and subjection, and faithfully enleavour to secure your person and estate from all danger, and to the uttermost of our power to procure and establish to your self, and to your people all the blessings of a glorious and happy Raign.

Ordere*d by the Lords and Commons in Parliament, that this bee forthwith printed.*

Hen. Eliage, Cler. Parl. D. Com.

Directions from the Lords and Commons now in Parliament assembled, to, bee given to his Excellency Robert Earle of Essex, Generall of the Army.

1. **Y**OU shall carefully reſtraine all impieties, prophaneneſſe and diſorders, violence, inſolence, and plundering in your Souldiers, aſwell by ſtrict and ſevere puniſhment of ſuch offences, as by all other meanes which you in your wiſdome ſhall think fit.
2. Your Lordſhip is to march with ſuch forces as you think fit towards the Army raiſed in his Maſtities name againſt the Parliament and Kingdome, and with them or any part of them, to fight at ſuch time and place as you ſhall judge moſt to conduce to the peace and ſafety of the Kingdome. And you ſhall uſe your utmoſt endeavours by Battaille or otherwiſe to reſcue his Maſtities perſon, and the perſon of the Prince, and the Duke of Yorke out of the hands of thoſe deſperate perſons who are now about them.
3. You ſhall take an opportunity in ſome ſafe and honourable way to cauſe the Petition of both Houſes of Parliament herewith ſent unto you to bee preſented unto his Maſteſty. And if his Maſteſty ſhall thereupon pleaſe to withdraw himſelf from the forces now about him, and to reſort to the Parliament, you ſhall cauſe all thoſe Forces to diſband, and ſhall ſerve and defend his Maſteſtie with a ſufficient ſtrength in his return.

4. You shall publish and declare, that if any who have been so seduced by the false aspersions cast upon the proceedings of the Parliament, as to assist the King in the acting of those dangerous counsels, shall willingly within ten dayes after such publication in the Army, returne to their duty, not doing any hostile act within the time limited, and joyn themselves with the Parliament in defence of Religion, his Majesties person, the Liberties and Laws of the Kingdome and priviledges of Parliament, with their persons, and estates, as the Members of both Houses, and the rest of the Kingdom have done; that the Lords and Commons will be ready upon their submission to receive such persons in such manner as they shall have cause to acknowledge, they have been used with clemency and favour. Provided, that this shall not extend to admit any man into either House of Parliament, who stands suspended without giving satisfaction to the House whereof he shall be a Member, and except all persons who stand impeached, or particularly voted in either House of Parliament for any Delinquency whatsoever, excepting likewise such adherents of those, who stand impeached in Parliament of Treason, as have been eminent persons, and chief actors in those Treasons. And except the Earle of *Bristol*, the Earle of *Cumberland*, the Earle of *Newcastle*, the Earle *Rivers*, Secretary *Nichols*, M. *Endymion Porter*, M. *Edward Hide*, the Duke of *Richmond*, the Earle of *Canarvan*, the Lord Viscount *Newarke*, the Lord Viscount *Faulkland*, one of the principall Secretaries of State to his Majesty.

5. You shall apprehend the persons of all those, who stand impeached in Parliament, or have been declared Traitors by both or either House of Parliament, or otherwise Delinquents, and you shall send them to the Parliament to receive condigne punishment according to their offences.

6. You shall receive the Loans or Contributions of Mony, Plate, or Horses from all his Majesties loving subjects, which they shall be willing to make for the support of charge of the Army, and better discharge of the service of the Common wealth. And you shall certifie all such sums or Mony, and the value of such Horses, that the parties may thereupon have the benefit of the publike faith, for paiment to be made unto them, as to others of his Majesties Subjects upon the propositions of Mony, Plate, and Horse.

7. You shall carefully protect all his Majesties loving Subjects from Rapine and Violence by any of the Cavilleers, or other Souldiers of his Majesties pretended Army, or by any of the Souldiers of the Army, which you command, and you shall cause the Arms and goods of any person to be restored to them, from whom they have been unjustly taken.

8. You shall observe such further Directions and Instructions, as you shall from time to time receive from both Houses of Parliament.

Directions for Robert Earle of Essex, Captain Generall of the Army for the defence of the King and Parliament, and the persons hereafter named, to be a Committee for his assistance in the Army. That is to say; the Committee appointed by both Houses of Parliaments touching the Affaires of the Army.

THe said Committee, or any foure of them, whereof the said Earle of *Essex* to be one, shall have power to meet together at such times and places as they shall think fit; And to consult and advise touching such matters that shall concern the Army, as the said Earle of *Essex* shall think convenient. And from time to time shall acquaint both Houses of Parliament with their resolutions therein; That both Houses may further proceed thereupon, as to them shall bee thought convenient for the publick.

They or foure of them, whereof the Earle of *Essex* to be one, shall have power, and are hereby authorized to advise and use all convenient and reasonable meanes they can, to supply the Army with money and other necessities; And for that end and purpose are hereby authorized to take the subscriptions of all persons that shall give, lend, or advance any Mony, Plate, or other Provisions whatsoever necessary for the Army, and shall give a note unto all such persons that so shall lend or advance, expressing the nature and particular thereof. Which Note subscribed with the hand of the said Earle of *Essex* and any three of the said Committee, whereof two to be of the House of Commons, shall be sufficient warrant for the party that shall so lend or advance, to receive the same again with interest, after the rate of eight pounds *per centum*, out of such monies as shall be collected for the affaires of this Kingdome, and both Houses doth engage the publick faith for the same.

They, or any foure of them, whereof the Earle of *Essex* to be one, shall have power, and are hereby authorized to sit with the said Earle, and to examine all such persons as shall bee sent for, apprehended and brought before them by vertue of any Warrant sent and issued under the hand of the Lord Generall, and shall have power to continue them in safe custodie, send them up to the Parliament, or discharge them as they shall think fit, and shall most tend to the publick good.

High and mighty Lords,

WE are commanded by the Lords and Commons assembled in the Parliament of *England* to signifie to your Lordships, that they have chosen and appointed the bearer hereof *Walter Strickland* Esquire, to repaire to your Lordships, and to present to you in their names, and in the name of the whole Kingdome a Declaration, and some propositions and desires very much, importing

importing the maintenance of the Protestant Religion, which is the surest foundation of the safety and prosperity of this Kingdom and your State, and the ancient amity between us to the advantage of both, desiring your Lordships to give care to what shall be delivered or propounded to you by the same Master Strickland. And to expedite your answer thereunto, in such manner as shall stand with your wisdoms, and the due respects of the common good of this State and of your selves, which is the earnest desire of

Your affectionate friends and servants.

Mandevile Speaker *pro tempore* for the Lords House.

William Lenthall Speaker of the House of Commons.

To the high and mighty Lords, the States of the United Provinces.

The Declaration of the Lords and Commons of the Parliament of England, to the high and mighty Lords, the States of the United Provinces.

WE the Lords and Commons in Parliament assembled, taking into serious consideration the meanes of composing the great distempers and combustions begun in this Kingdome, which threaten the destruction and ruine of it, and of all other Protestant Princes and States; have thought good to make this Declaration to the high and mighty Lords, the States of the *United Provinces*, That we underttand by a Letter of the Lord Digby, a person fled out of this Kingdom for high Treason: That as he often endeavoured by his wicked and malicious counsels to make division between his Majesty and the Parliament, and hath been in great part the cause of that miserable and unnatural war which is made against us by his Majesty, so he hath laboured by all meanes in the *United Provinces* to provide Arms, powder, and Ammunition for the fomenting of that war, and making it more dangerous to this Kingdom; And for this purpose did addresse himselfe to the Prince of Orange, by whose countenance and help (as we are informed by the Lord Digbys own Letters) hee hath made provision of great quantities of Ordinance, Powder, Armes, and divers other sorts of warlike provision,

And we are further informed by credible advertisement, that the Prince of Orange in favour of the Lord Digby, and those other wicked counsellours and incendiaries, who being joyned together in these mischievous practises against the peace of this Kingdom, hath not only licenced, but the better to encourage divers Commanders, experienced Officers, and Souldiers to resort into this Kingdom in aid of them against the Parliament, hath promised to reserve their places for them in their absence, and don't cause other provision of the same kind to be made, and prepared to be sent over for their supply, to the great hurt of this Kingdome, and the danger of interrupting the most necessary, profitable, and long continued amity betweene the two States.

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We further desire to let them know, that we cannot beleieve that this is done by any authority or direction from their Lordships, considering the great help that they have received from this Kingdome, when heretofore they lay under the heavy oppression of their Princes, and how conducible the friendship of this Nation (concurring with the wisdom, valour and industry of their owne people) hath been to the greatnesse and power which they now enjoy.

Neither can we thinke that they will be forward to helpe to make us slaves, who have been usefull and assistant in making them free-men.

Or that they will forget that our troubles and dangers issue from the same fountaine with their owne, and that those who are set a worke to undermine Religion and Liberty in the Kingdom are the same, which by open force did seek to bereave them of both.

It cannot be unknowne to that wise State, that it is the Jesuiticall faction here, that hath corrupted the Counsels of our King, the consciences of a great part of our Clergie, which hath plotted so many mischievous *Designes*, to destroy the Parliament, and still endevoureth to divide *Ireland* from this Kingdome, by a most wicked and cruell Rebellion there, and to divide the King from his Parliament and people here, and by false slanders, and imputations of things never done nor intended by us, hath incensed his Majesty, to as that after many bitter invectives published against us without any just cause given; He hath now at last resolved to set up his Royall Standard, and draw his sword for the destruction and ruine of his most faithfull and obedient people, whom by the Lawes and Constitutions of this Kingdome he is bound to preserve and protect.

The cases and the fortunes of both Estates being so involved and united, we cannot expect to be hindred by them in our just defence, or that they wil do any thing, to aggravate the miseries and troubles of this Kingdom, in the peace and happinesse whereof they have found much advantage, and by such unfriendly and unseasonable supplies of our common Enemies, make a way to their owne as well as our ruine.

We therefore desire they may betimes look into this mischief, and having seached it into the bottom, to stop the farther progresse of it, That they will not suffer more Ordnance, Armor, or any other like warlike provision to be brought over to strengthen those, who as soone as they shall prevaile against the Parliament (according to their principles and interests by which they are guided) will use that strength to the ruine of those from whom they have had it.

We desire they would not send over any conuntrymen to further our destruction, who were sent to them for their preservation, That they will not anticipate the spilling of English blood in an unnaturall Civill war, which hath been so cheerfully and plentifully hazarded and spent in that just and honourable

war, by which they have been so long preserved, and to which the blood of those persons, and many other subjects of this Kingdom is still in a manner dedicated, but rather that they will cashier and discard from their employment those that will presume to come over for that purpose.

And in satisfying these our reasonable and necessary desires, they shall thereby not only secure us, but themselves, yea, they shall most of all advantage his Majesty, for whose service those things are pretended to be done.

The question betweene his Majesty and Parliament is not, whether hee shall enjoy the same prerogative and power which hath belonged to our former Kings, his Majesties Royall predecessours, but whether that prerogative and power should be employed to our defence, or to our ruine.

We expect nothing from him but security and protection from those mischievous designs which have been so often multiplied and renewed against us, though hitherto (through Gods providence) as often frustrated.

It cannot be denied by those who look indifferently on our proceedings and affaires, but that it will be more honour and wealth, safety and greatnesse to his Majesty in concurring with his Parliament, then in the course in which he now is: But so unhappy hath his Majesty and the Kingdome been in those, who have the greatest influence upon his Counsels, that they look more upon the prevailing of their owne party, then upon any those great advantages both to his Crowne and Royall Person, which he might obtaine by joyning with his people. And so cunning are those Factors for popery, in prosecution of their own aymes, that they can put on a counterfeit visage of honour, peace, and greatnesse upon those courses and counsels, which have no truth and realty, but of weaknesse, dishonour, and miseries to his Majesty and whole Kingdome.

We have lately expressed our earnest inclinations to that Nationall love and amity with the United Provinces, which is nourished and confirmed by so many civill respects and mutuall interests, as makes it so naturall to us, that we have this Parliament in our humble Petition to his Majesty desired, wee might be joyned with that State in a more neere and strait league and union. And wee cannot but expect some returns from them of the like expressions; And that they will bee so farre from blowing the fire which begins to kindle amongst us, that they will rather endeavour to quench it by strengthening and encouraging us, who have no other designe but not to bee destroyed, and preserve our Religion, save our selves, and the other reformed Churches of Christendome from the massacres and extirpations with which the principles of the Popish Religion doe threaten us and them, which are begun to bee acted in *Ireland*, and in the hopes, endeavours, and intentions of that party had long since been executed upon us, if the mercy, favour, and blessing of Almighty God had not superabounded,

and prevented the subtilty, and malignity of cruell, wicked, and bloud-thirsty men.

A Declaration of the Commons assembled in Parliament: For bringing to condigne punishment, those that have raised false and scandalous rumours against the House; how that they intend to asseſſe every mans pewter, and lay excizes upon every commodities.

Die Sabbati, 8. Octobr. 1642.

THE Commons House of Parliament receiving information, that divers publique rumours and aspersions, are by malignant persons cast upon this House, that they intend to asseſſe every mans Pewter, and lay excizes upon that and other commodities; The said House for their Vindication therein doe declare, that those rumors are false and scandalous; And forasmuch as these false rumors and scandalls, are raised by ill affected persons, and tend much to the dis-service of the Parliament, it is therefore Ordered, that the Authors of these false and scandalous rumours shall be searched and enquired after, and apprehended and brought to this House to receive their condigne Punishment.

Ordred by the Commons in Parliament, that this be forthwith printed and published.

Hen. Elſynge, Cler. Parl. D. Com.

A Declaration of the Lords and Commons assembled in Parliament: Concerning his Majesties advancing of his Army towards London; With directions that all the Trained Bands and Voluntiers be put into a readinesse, that so the Kings Army may find opposition in every place as they march.

THE Lords and Commons in Parliament, considering with much tenderneſſe and compaſſion the miserable condition of this Kingdome, distracted, and distempered with many present evils, and imminent dangers, and brought now to such an height of extremity of misery, that two English Armies are neare together, even ready to joyne in a dreadfull and bloody encounter, through the violent and wicked counsell of those, who have captivated both the Person and the Power of the King, to their owne inopious and trayterous designs, doe thereupon thinke good to publish and declare the same to the Kingdome, together with some directions and provisions which may prevent that utter desolation and ruine both of Religion and Liberty, already overwhelmed and supprest in the intention and hope of those Rebels
and

and Traytors about the King, to which purpose it is desired by both Houses, that all well-affected subjects may take notice of these particulars.

That the King by the helpe and assistance of the Papists, the Prelaticall and corrupt part of the Clergie, the Delinquent Nobility and Gentry, and by the confluence of some notable Traytors from beyond the Seas, the Lord *Digby*, *Onesie*, and others, and of many desperate mercenary and ill-affected persons from all parts of the Kingdome, hath raised an Armie, armed, clothed, and fed, for the most part with the spoyles of his subjects, giving them liberty to plunder and rob all sorts of people; to exact money and plate from Corporations, by threatening fire, and sword, if they should refuse it.

That this wicked counsell doth not onely hinder his Majesty from exercising the justice and protection of a King towards his people, but even that honour which is observed betwixt Enemies; for by a confident instrument of his Majesty, Sir *John Hinderfon* a Papist (as wee are credibly informed) one *David Alexander* was urged to kill Sir *John Hotham*, telling him it would bee a good service both to God and the King, which hee refused to doe, saying, it was the worke of a Butcher, and not of a Souldier; This *Alexander* being a Scotchman, of a very poore fortune, and of a mind fit for desperate attempts. The King sent for him twice while he was at *Beverley*, and when he came to his presence, he spake to him publicly in the field, and appointed a summe of money to be given him, which he received.

After which another proposition was made to him by the same Sir *John Hinderfon*, that he would put fire to the Magazine of the Army raised by the Parliament, and to gaine the better opportunity to effect it, that he should labour to get some employment in the train of Artillery, which he accordingly undertook, and endeavoured to obtain; But before hee could effect his mischievous intention, hee was discovered, apprehended, and examined, and thereupon confest the practise and undertaking, the particulars whereof are referred to the examinations thereupon taken. That the King doth send out Letters to borrow great summes, professing that those who will not lend him money, doe give him just cause to suspect their duty to his Person, and the peace of the Kingdome. And this will be a sufficient reason to make them liable to bee plundered and spoyled of all they have; But such is the violence of the Kings Army, that their friends are in little better case then they who oppose them, and those who escape best, must yet feed and billet the Souldiers for nothing.

In those places where the trained Bands are willing to go forth to serve in His Majesties Army, yet for the most part their Armes are taken from them, and put upon those who are mercenary, and lesse interessed

in the Common-wealth, and so likely to be fitter instruments of rapine and spoile.

By these great violencees and oppressions they have so exhausted those parts, that his Majesty cannot stay long about *Shrewsbury*, and it is the earnest desire of the Cavaliers, that he would march forward towards *London*, those rich and fruitfull Countries in the way being like to yeeld them a supply of their necessities, and the wealth of *London* a full satisfaction of their hope, where they likewise think to find a party, which upon his Majesties approach may make some disturbance, and facilitate their designs upon the City.

That if the Kings Army prevaile, the good subjects can expect nothing, but that their lives and fortunes will be exposed to the malice and rapine of those ravenous souldiers, who often talke of cutting the throats of honest and religious men, and have long expected their goods and estates, as the rewards of their service; the Kingdome will againe fall under the government of those mischievous counsels, who before this Parliament, had even brought both Religion and Liberty to ruine; and wee shall have no hope left of any more Parliaments, but such as shall bee concurrent and subservient to these ends.

*The meanes of curing and preventing these evils and dangers,
Wee conceive to be these.*

That good provision bee made by loane and contribution for the Army raised by the Parliament, under the Lord Generall, the Earle of *Essex*, which is no whit inferiour in Horse and Foot to the Kings Army, better armed, full payed, restrained from disorder and rapine, as much as may bee; well provided of all outward necessities; but above all, well encouraged and instructed in the goodnesse of the cause, by the labour of many godly and painfull Divines.

That this Army bee alwayes ready to attend the removes of the Kings Army, either in one body, or divided, as there shall bee occasion, according to the wise conduct and direction of the Lord Generall, that so no opportunity of fighting upon advantage bee lost, nor the greedy souldiers of the Kings Armie suffered to range, and spoyle the Countie at their pleasure.

That the Counties, through which the Kings Army is to passe, doe associate themselves, and draw all their Forces together, for the mutuall defence of their persons and goods from oppression and spoile.

That those Counties bee required to send in all their Horses fit for carriage, and for Dragoones, as well for the Assistance of the Lord Generall, for which in convenient time they shall receive satisfaction; As likewise that by

such means these Horses may be kept from being employed by the Kings Army.

That command and direction be given to all Lieutenants of Counties, and deputy Lieutenants, that all the Trained Bands and all Voluntiers be put into a readines to be brought to such Rendezvous, and to be obedient to such Commanders in chief as shall be appointed by the Committee for the safety of the Kingdome, or by the Lord Generall, that so the Kings Army may find opposition in every place as they passe, and the Inhabitants may have at hand a sufficient protection and defence, and the Lord Generall may strengthen his own Army with these Forces as he shall see cause.

That powder, Munition, and Ordnance, with all other necessities be prepared for these forces, that so without any trouble or confusion, they may be brought together, and fitted for service upon all sudden Occurrents.

That all those who in the City of London, or any other place, shall weare any Colours, or other marks of division, whereby they may bee distinguished from others, and known to bee of the malignant Party, shall bee examined, searcht and disarmed, as likewise all others, who being able, shall not lend or contribute towards the publick safety of the Kingdome, in this time of so great and imminent danger.

That it be commended to the serious consideration of those in the Kings Army, and of all other that intend to assist and succour his Majesty in this impious and unnaturall warre, among whom it may bee hoped there are some honest men, and Protestants, what it is that moves them in this Quarrell.

Is it for feare of some Innovations and alteration of Religion, of Church-Government? let such as are posselt with this vaine and causelesse apprehension, know, that nothing is intended or desired, but to take away the government by Bishops, which hath been so constantly, evidently, mischievous, and dangerous to the Church and state; and such other things as shall be found to be justly offensive, and nothing to be settled and Introduced, but by authority of Parliament after consultation first had with an assembly of learned and reverend Divines.

Is it to uphold the authority, prerogative, and Honour of the King, and to preserve the safety of his Royall person? surely the Parliament is and ever hath been ready to doe any thing that belongs to them to secure all these, which they have often testified by many humble Petitions to his Majesty.

If there be no cause for any of these respects, to seek the destruction of the Parliament, and the bloud and ruine of their kindred, friends and acquaintance, what remains then to be the matter of the quarrell, and the motives of such great combustions, & the effects and consequences of their victory, if they should prevail? That Priests, Jesuits, and the Popes Nuncios may domineer and govern.

govern in the Kings Counsell as heretofore, that the Archbishops of *Canterbury* and *York*, and their Suffragans, may suppress diligent and powerful preaching, and banish and oppress all the most pious and best affected Subjects of the Kingdome, and introduce the Popish Religion under a Protestant profession, till they have strength and boldness to cast off the disguise, and openly appeare that which indeed they are, and would not seem to be.

That the Earle of *Bristol*, and his son the Lord *Digby*, *M. Iermin*, and other such Traytors may possesse the great places and government of this Kingdome, and be the arbiters of the affaires of State, and distributors of preferments and disgraces to such as shall further or oppose their designes.

That the Delinquents, Oppressors and Destroyers of the Kingdome, may not onely escape the justice of the Parliament, but triumph in the spoiles of all honest men, good Patriots; and that through our troubles and divisions, the Rebels in Ireland may prevaile; that wee may cease to be a free Nation, and become the object of cruelty and oppression at home, and of scorne and infamy abroad.

And if there can be no other fruit of their hazard and endeavours on that side, let them then consider, whether by adhering to the Parliament, they may not expect effects more sutable to the desires of honest men, the glory of God, in the preservation of his Truth; the peace of the Church, by securing it against the pride, avarice, and ambition of the Clergy; the honour, greatness and security of the King, by freeing him from false and Traiterous Counsellors, and establishing him in the hearts and affections of his people, the prosperity of the whole Kingdome by the blessing of good Lawes, and a righteous government.

Die Sabbath 15. Octob. 1642.

Resolved upon the Question by the Lords and Commons assembled in Parliament,

THAT such persons as shall not contribute to the charge of the Commonwealth in this time of imminent necessity, shall be held fit to be secured.

Resolved upon the Question, &c.

That such persons as shall not contribute to the charge of the Commonwealth in this time of imminent necessity, shall be held fit to be disarmed.

Ordered by the Lords and Commons assembled in Parliament, That the Lord Major and Sherifes of the City of *London* shall forthwith search the houses, and seize the Armes belonging unto *Mast. Nathaniel Jefferson*, *Mast. Austin*, *Mast. John Bedle*, *M. John Barry*, *M. Ralph Long*, and *M. Robert Lewis*, all

all of Broadstreet Ward, M. John Blunt, of Limestreet Ward, M. Ald. Wright, of Colemanstreet Ward, M. Roger Drake, M. John Walcher, of Farringdon within; for that it appears by the report from the Committee, they have not contributed as they ought to the charge of the Common-wealth, in this time of imminent necessity.

Resolved upon the Question, &c.

That the Fines, Rents, and Profits of Arch-Bishops, Bishops, Deans, Deans and Chapters, and of such notorious Delinquents who have taken up Arms against the Parliament, or have been active in the Commission of Array, shall be sequestred for the use and service of the Common-wealth.

Resolved upon the Question, &c.

That the Kings Revenue arising out of Rents, Fines in Courts of Justice, Composition for Wards, and the like, and all other His Majesties Revenue, shall be brought into the severall Courts, and other places where they ought to be paid in, and not issued forth, or paid forth, untill further order shall be taken by both Houses of Parliament.

The manner of sequestration is referred to a Committee.

Sabbathi, 15 Octob. 1642.

Ordered by the Lords and Commons in Parliament, That this Declaration and Votes be forthwith Printed and Published. Jo. Brown, Cler. Parl.

An Ordinance and Declaration of the Lords and Commons assembled in Parliament, allowing and authorizing any of His Majesties good and loyall Subjects in the Kingdom of England, to furnish with all manner of Warlike Provision, and send to Sea what Ships and Pinnaces they shall think fit, to make stay of all such Supplyes as they shall seize upon by Sea or Land, going to assist the Rebels in IRELAND.

WHereas the Lords and Commons in Parliament now assembled, have received Information, That divers Ships, and other Vessels, warlikely appointed, equipped, and furnished, belonging to the Rebels in Ireland, have been of late set out from the Port of Wexford, and other Ports and places in that Kingdom, and have committed and done many depredations, spoils, and pyratieall acts upon the Ships and goods of His Majesties good Subjects, Friends, and Allies, and do thereby very much disturb, infect, and annoy the publike commerce, intercourse and trade between this and other Nations: And whereas the Lords and Commons aforesaid, have further been informed, That not onely many supplies of Victualls and Arms have been, and daily are carryed to the said Rebels

by French, Dunkerkers, and others, but also many Ships and goods belonging to His Majesties loyall subjects, have been taken and spoyled by them, under colour of Commissions from the said Rebells, contrary to the Law of Nations, and practice of Princes in Amity, in the like cases.

And whereas divers of His Majesties well-affected subjects, out of their pious and charitable disposition towards their distressed Brethren, His Majesties Protestant subjects in the Realm of *Ireland*; As also out of their loyall respect to His Majesty, and detestation to that Rebellion, and to reduce the Rebells in the said Realm of *Ireland* to their due obedience, and as much as in them lieth to prevent and hinder all such supplies as shall be sent unto those Rebells; have lately made known to the said Lords and Commons their voluntary disposition and readinesse to set forth some Ships and Pinnaces warlikely appointed, equipped, manned, and victualled; so that in recompence of their charge and adventure therein, they may have and enjoy to their own uses, all such Ships, Goods, Monies, and Merchandizes which they shall take and surprize by Sea or by Land, belonging to any of the said Rebells, or to any other that have carryed, or they shall take carrying any supplies to the Rebells: Which being well approved by the Lords and Commons in Parliament, as a good means to weaken the said Rebells, and so to reduce them to their due obedience, do commend the same for a pious and laudable undertaking, and are willing to give it all the encouragement and advancement that may be, to bring it to a good and successfull issue, as tending very much to the Honour of the King, and the speedy and effectuell suppressing of the Rebellion aforesaid.

And therefore, for the better enabling the performance of this so free and commendable undertaking and enterprise, It is ordered, established, and ordained by the Lords and Commons assembled in this present Parliament, and by the Authority of the same, That it shall and may be lawfull for any of His Majesties good and loyall Subjects of this Kingdom of *England*, to be approved, and thereunto appointed by the Commissioners of the Admiralty, established by the Parliament, in Warlike manner to equippe and furnish for the said intended employment, such and so many Ships, and other Vessells as they shall think fitting, and to place in them competent numbers of Souldiers, Mariners and Gunners, with necessary Arms and Provision for that service, and to appoint over them such Commanders, Captains, and Officers, as they shall think fit: And the same Ships, and other Vessells so manned, equipped, Armed and provided, to set forth to the Sea, and with the same to seize, surprize, and take all, and all manner of of Ships, Vessells, Goods, and Merchandize, belonging to the said Rebells, or any of them, or unto any person or persons that they shall finde or understand to have

have ayded the said Rebels, or any of them, with Arms, Ammunition, or Victualls, by Sea or by Land : And also to seize and surprize all manner of Ships, and other Vessels, having on board them Arms, Ammunition, or Victualls, bound therewith to the Kingdom of *Ireland*, or any the Dominions of the same, not having on board them a Pasport or License from the Commissioners of the Admiralty appointed by the Parliament as aforesaid, or from the chief Governour or Governours of *Ireland* for the time being, appointed by His Majesty, with the consent of both Houses of Parliament, being to carry the same thither ; And to invade the said Rebels in any Forts, Harbours, Creeks, Havens, Islands, Castles, Forts, Towns, or any other places, in the possession of the said Rebels, within the said Realm of *Ireland*, and the Rebels therein to take, surprize, vanquish, destroy, or kill, and to sack and pillage any such place and places : And further, to surprize and take all and all manner of Pyrats and Sea-rovers, of what Nation soever, and their Ships and Goods whatsoever.

And for the better encouragement of all such Adventurers in the said Enterprize, it is by the Lords and Commons likewise ordered and ordained, That the said Adventurers shall have and enjoy, as their proper Goods, all Ships, Goods, Moneyes, Plate, Arms, Munition, Victualls, Pillage, and Spoyle, which shall be seized or taken by any persons, by them to be employed by force and vertue of this Ordinance, which by proof of Witnesse, upon Oath made in the high Court of Admiralty, and the definitive Sentence to be given in that Court, shall be pronounced at the time of the taking or seizure thereof, to have belonged to any *Irish* Rebel or Rebels, or any person or persons whatsoever, that hath supplied those Rebels, or any of them, with Victualls, Arms, or Munition, or shall be taken, having on board them Arms, Munition, or Victualls, bound therewith to the Kingdom of *Ireland*, or any the Dominions of the same, not having on board them such a Pasport or License as aforesaid, or to belong to any Pyrate or Sea-rover whatsoever ; and the same to have and enjoy to their own use, without any account whatsoever thereof to be made, reserving the Tenths accustomed in such cases to be paid to the Admirall, to be disposed of by Order of both Houses of Parliament.

And it is further ordered and ordained, That there shall be true and faithfull Inventories taken of the Ships, Moneyes, Goods, Plate, Pillage, and Spoyle, which shall be taken by vertue and authority of this present Ordinance, and a true Appraisment made of the same ; and the same, together with all Papers and Writings, found in any Ship or other Vessel, by them to be taken, shall be carefully preserved : and two or three of the Officers of every Ship or other Vessel so taken, shall be examined before the

chief Officer of the next Port, within any of the Kings Dominions ; and the said Examinations, with the Papers, Inventories, and Appraisements, shall be sent into the Registry of the high Court of the Admiralty aforesaid, to the end that the taking of the said Ships may thereby be justified, or restitution by the said Adventurers (if there shall be just cause) there made.

And more particularly, it is hereby ordered and ordained by the Lords and Commons aforesaid, and they do by vertue of this Ordinance give unto the persons to be set forth to the service as aforesaid, and to every of them, power, authority, and warrant, That if they shall happen upon the Seas, or in any Port, Harbour, or Creek, to meet with any Ship or Ships that shall not willingly yeeld themselves to be visited and proved by Law and Justice, but will defend themselves by force and violence ; then they shall by all means possible, and with all force, compell them to yeeld and submit themselves to reason and justice, although it do fall out, that by fighting with them, one or more of them be maymed, hurt, or slain in the resistance.

And it is further ordered and ordained, That the Captain, Master, and two or three other of the principall Officers of every of the Ships and Pinnaces, to be set forth upon the said Enterprise, shall before their going to Sea, enter into a Bond in the High Court of Admiralty, in the sum of two thousand pounds, unto the Speaker of the Commons House of Parliament for the time being, to the use of the Common-wealth, and to be disposed of as both Houses of Parliament shall appoint, to the use of the Kings Majesty : That the said Ships or Pinnaces respectively, nor their Captains, Masters, or any of their Company, under colour or pretence of this Ordinance, shall rob, spoyl, or endamage any of the Kings Subjects, Friends, or Allies, other then such particular persons of His Majesties Subjects, Friends, or Allies as shall be found to have ayded and relieved the said Rebels, or shall be taken carrying Arms, Victuals, or Munition for Ireland, without License or authority as aforesaid, or shall have committed Pyracie : And that true Inventories and Appraisements shall be taken of the Ships and goods, before the same shall be vended or disposed ; and the same, together with the papers found aboard any such Ships, and the Examinations of the chief Officers of the same Ships, as is before declared, returned into the Registry of the high Court of the Admiralty aforesaid.

And lastly, It is hereby further ordered and ordained, That this Ordinance, nor any benefit thereby, shall extend to the setters forth of any Ship, or other Vessell, upon the Enterprise as aforesaid, where Bonds shall not be given, as is before expressed, and a Certificate under the Admiralty Seal obtained, of the putting in of such Caution.

O Feb. 20. 1642.

Ordered by the Lords and Commons assembled in Parliament, That this Ordinance be forthwith printed and published.

Jo. Brown, Cler. Parl.

His

*His Majesties Declaration to all His loving Subjects after His late Victory
against the Rebels on Sunday the 23 of October.*

AS We must wholly attribute the preservation of Us and Our Children in the late bloody Battle with the Rebels, to the mercy and goodnesse of Almighty God, who best knowing the Justice of Our Cause, and the uprightnesse of Our heart to his service, and to the good and welfare of Our People, would not suffer Us and the whole Kingdom to be made a prey to those desperate persons, so We hold it Our duty still to use all possible means to remove that jealousie, and misunderstanding from Our good Subjects, which by the industry and subtilty of that malignant party (which hath brought this mischief and confusion upon the Kingdom) hath been infused into them, and to that purpose (though even those scandalls are sufficiently answered by many of Our Declarations and Messages, and by Our late Protestation made in the Head of Our Army, which We shall alwayes by the help of God stedfastly and solemnly observe) We shall take notice of those subtil Insinuations by which at this present (according to that observation We can make, and information We can receive) they endeavour to poyson the hearts, and corrupt the Allegiance of such of Our good Subjects who cannot so clearly discern their malice and impostures. First, by urging and pressing that false groundlesse imputation of Our favouring Popery, and Our employing many of that Religion now in Our Army. Secondly, by seducing Our good people to believe that this Army, raised and kept for Our necessary defence (and without which, in all probability the malice of these men had before this taken Our life from Us) is to fight against, and subdue the Parliament, to take away the Priviledges thereof, and thereby to root out Parliaments: if either of which were true, We should not have the courage with an Army much greater then Ours, to hope for successe.

For the first, for Our affection to that Religion, Our continuall practice, Our constant profession and severall Protestations will satisfie all the world, against which malice and Treason it self cannot finde the least probable objection: We wish from Our heart the zeal and affection of these men to the true Protestant Religion were as apparent as Ours. For the employing men of that Religion in Our present service in the Army, whosoever considers the hardnesse and straights the malice and fury of these men have driven Us to, their stopping all passages and wayes, that neither men or money might come to Us, their declaring all such to be Traytors who shall assist Us, their entertaining men of all Countreies, all

Religions, to serve against Us, would not wonder, if We had been very well contented to have received the service and assistance of any of Our good Subjects who had loyalty enough (whatsoever their Religion is) to bring them to Our succour. All men know the great number of Papists which serve in their Army, Commanders, and others, the great industry they have used to corrupt the loyalty and affection of all Our Subjects of that Religion, the private promises and undertakings they have made to them, That if they would assist them against Us, all the Laws made in their prejudice should be repealed; yet neither the weaknesse of Our own condition, nor the other Arts used against Us, could prevail with us to invite those of that Religion to come to Our succour, or to recall Our Proclamations which forbade them to do so. And We are confident (though We know of some few whose eminent abilities in command and conduct, and moderate and unfactionious dispositions hath moved Us in this great necessity to employ them in this Service) That a farre greater number of that Religion is in the Army of the Rebels, then in Our own. And We do assure Our good Subjects, though We shall alwayes remember the particular services which particular men have or shall in this exigent of Ours perform to Us, with that grace and bounty which becomes a just Prince, yet We shall be so far from ever giving the least countenance or encouragement to that Religion, that We shall alwayes use Our utmost endeavour to suppress it, by the execution of those good and wholesome Laws already in force against Papists, and concurring in such further remedies as the care and wisdom of Us and both Houses of Parliament shall think most necessary for the Advancement of Gods service.

For the second, of Our intention to make Warre upon Our Parliament, and so to root out Parliaments. The scandall is so senselesse, when Our Accusation of a few particular persons, for particular crimes notoriously committed, adjudged by the known Laws of the Land to be Treason, is evident, that no man can be moved with it, who doth not beleeve a dozen or twenty fictitious, seditious persons, to be the high Court of Parliament, which consists of King, Lords, and Commons: And for the Priviledges of it, who ever doth not believe that to raise an Army to murder and depose the King, to alter the whole Frame of Government and established Laws of the Land by extemporary, extravagant Votes and Resolutions of either or both Houses, to force and compell the Members to submit to the Faction and Treason of a few, and to take away the Liberty and Freedom of Consultation from them, to be the Priviledges of Parliament, must confesse that the Army now raised by Us is no lesse for the vindication and preservation of Parliaments, then for Our own necessary defence. We have often said, and

We still say, That We beleeve many inconveniences have grown upon this Kingdom by the too long intermission of Parliaments; That Parliaments are the onely necessary sovereign remedies for the growing mischiefs which time and accidents have and will alwayes beget in this Kingdom; That without Parliaments the happinesse cannot be lasting to King or people: We have prepared for the frequent assembling of Parliaments, and will be alwayes as carefull of their just Priviledges, as of Our Life, Honour, or Interest. But that those Priviledges should extend so far as hath been lately declared, That it should not be lawfull for Us to apprehend the Lord *St John*, Captain *Windgate*, or Captain *Walton*, when they came to destroy Us, because they were Members of Parliament, without the consent of that House of which they were Members, is so ridiculous, that there need no more to be said in this Argument, then the giving these instances. In a word, as who ever knows in what danger Our Person was in, on *Sunday* the 23 of *October*, can never believe that the Army which gave Us Battle was raised for Our defence and preservation; so when they consider how much the Liberty of the Subject is invaded by their Rapine and Imprisoning; and that four parts at the least of five of the Members of both Houses are by violence driven from being present in that Councell; That the Book of Common Prayer is rejected, and no countenance given but to *Anabaptists* and *Brownists*, they will easily finde the pretences of care of the Protestant Religion, the Liberty of the Subject, and of the Priviledge of Parliament to be as vain and pretended, as those which refer to the safety of Our Person, and the preservation of Our Posterity.

We cannot omit the great pains and endeavours these great pretenders to peace and charity have taken, to raise an implacable malice and hatred between the Gentry and Commonalty of the Kingdom, by rendring all persons of honour, courage, and reputation, odious to the common people, under the stile of Cavaliers, insomuch as the High-ways and Villages have not been safe for Gentlemen to passe thorow without violence or affronts, and by insufing into them that there was an intention by the Commission of Array to take away a part of their Estates from them, a scandal so senselesse and impossible; that the Contrivers of it well know they might with equall ingenuity have charged Us with a purpose of introducing Turcism or Judaism amongst them; and We hope when Our good Subjects have well weighed the continuall practises of these men to reject all offers of Treaty, and to suppress the Truth, and to mislead them by bold and monstrous falsehoods, they will not think such Arts and wayes to lead to Peace and Unity. And We desire Our good Subjects of all conditions to beleeve, That We hold Our Self bound no lesse to defend and protect

fect the meanest of Our People (who are born equally free, and to whom the Law of the Land is an equall Inheritance) then the greatest Subject ; and that as the wealth and strength of this Kindom consists in the number and happinesse of Our people, which is made up of men of all conditions, so We shall, to the utmost of Our power, endeavour without distinction, to give every one of them that Justice and Protection which is due to them ; And We do exhort them all to that charitable and brotherly affection one towards another ; that they may be reconciled in a just duty and loyalty to Us, which may enable Us for that Protection.

To conclude, We would have all the world know, That We shall never forget the Protestations and Vows We have made to Almighty God in Our severall Declarations and Messages to both Our Houses of Parliament. And We are too much a Christian to believe, That We can break those promises, and avoid the Justice of Heaven.

CHARLES R.

Our expresse pleasure is, That this Our Declaration be published in all Churches and Chappells within the Kingdom of England, and Dominion of Wales, by the Parsons, Vicars, or Curates of the same.

A Declaration of the Lords and Commons assembled in Parliament, in Answer to His Majesties Declaration, intituled, His Majesties Declaration to all His loving Subjects, after His late Victory against the Rebels, on Sunday the 23 of October. 1642.

WE the Lords and Commons in Parliament having seen a printed Declaration, intituled, *His Majesties Declaration to all His loving Subjects, after His late Victory against the Rebels, on Sunday the 23 of October.* And finding the same to be full of scandalls and invectives against the Parliament, without any ground or colour of truth to support them ; Thought it our duty, as well for the discovery of the falshood thereof, as of the malice and subtilties of the Contrivers of those scandalls, who to our unspeakable sorrows, have gained so much power with His Majesty, as to vent the same under the Title of His own Royall Name, to make this ensuing Declaration in Answer thereunto.

In the beginning of that Declaration, the Contrivers thereof speak in His Majesties Name, of a great preservation of His Majesty and His Children in the late Battell.

If His Majesty and his Children escaped any danger in that Battell, as we are ready with the Contrivers to rejoyce thereat, so do we apprehend a just cause of sorrow, That His Majesty seduced by the desperate advice of lewd and wicked Counsell, who tender their own preservation before His, would intermix himself with Traitors and Rebels, and expose his own Royall Person and his Children to that danger.

And whereas the Parliament under the name of a Malignant party is charged with an endeavour to poison the hearts, and corrupt the Allegiance of the Kings Subjects, by urging and pressing a false groundlesse imputation (as it is there stiled) of favouring Popery, and employing many of that Religion in his Majesties Army.

Though we have just cause to believe that our late Declaration of the 1 of October is sufficient to prove, That the aspersions of favouring Papists, and employing them in the Kings Army, the same being there not onely barely alleged, but the evidence proving the same, and the persons so employed particularly set down: Yet since the Contrivers of that Declaration have the confidence to deny it, we thought it necessary for the confirmation thereof, to publish some evidences and advertisements that we received since the issuing out of our said late Declaration, touching that particular.

First, that it doth appear by the examination of Master *Dormer*, who professed himself a Papist, taken before a Committee of the House of Commons, That a Commission under the Kings own hand was delivered unto him, by Sericant Maior *Courtney*, a notorious Papist, Authorizing the sayd *Dormer* to be a Captaine of a Foot Company, in the Regiment of Sir *John Beaumont*, another professed Papist, and with that Commission, threescore and fifteen men raised in the County of *Lancaster*, consisting (as is probable) of Papists, though Mr. *Dormer* in his examination alledgeth he knoweth not whether they were Protestants or Papists. And it doth further appear by a Commission now remaining in the House of Commons, signed with the Kings own hand, that the sayd *Courtney* is made Sericant Maior of that Regiment. And by the same examination, another professed Papist is Lieutenant Colonell; and by a letter intercepted sent from one *Dan. Chambers* a Papist (as is informed) directed to one Caprain *Thomas Rookwood*, That he expresseth his ioy for the good successe of the generall Cause, and the advancement of their design. And by another letter intercepted likewise, and sent from the same *Dan. Chambers* to Sericant Maior *Courtney*. That he was going to the North where (as we are now advertised) the Papists are raising a considerable Army, That he liked well the way of two yeers composition, and would propound it, That his endeavours should never be wanting to further any good action, and the more wherein he the said *Courtney* was interested;

And though the *Hothamites* would hinder his travelling, yet he would venture hard, and dally pray for the generall Cause. And in a letter sent from one *Savage*, a servant of the Earle of Newcastle, his Maiesties Generall in the North, directed to one *John Atkins* of *Lambeth*, are contained these words: *Tell them that the Pope rules in peace here in Northumberland &c. no prosecution neither of Priest or Papist*: And in another sent from one *George Tempest* a Papist, to his brother *John Tempest* in the Kings Army, are these words: *Our Priests at Lancaster are all at liberty, Catholique Commanders admitted, and all well enough that way, God Almighty (as I hope) will the better prosper the design*: And in the Printed Declaration it selfe, it is confessed, That Popish Commanders are employed in the Kings Army, and that which is as notorious as any of the rest, They of the Popish Religion are arrived to that height of favour, that upon their Petition presented to his Maiesty, they have obtained an expresse command and direction, That they and their servants and Tenants (though Convict Recusants, and consequently by the Laws and Statutes of this Realm to be disarmed) should Arm themselves, and use them for the defence of his Maiesties Person, and in opposition to the Forces raised by the Parliament; which Petition and Answer we have caused to be printed herewith. We need not again recite the Earl of Worcester and his Son the Lord *Harbert*, two of the most eminent and powerfull Papists in the Kingdom, their levying of great Forces in *Mountain-shire* and *Wales*, having mentioned it in our former Declaration. And we purposely omit many other demonstrations of favour extended unto them, as the not putting the Laws in execution against them, their free reception into the Kings Court and Presence, the tender care of them and their persons and estates from the danger of the Kings forces, when the most pious and zealous Protestant Ministers and others, are most barbarously murdered, plundered, and robbed of their estates and fortunes. And upon what is already sayd, submit it to the World to iudge, whether the favouring of Popery, and employing them of that Religion in the Kings Army, be a false and groundlesse imputation; and we do the more wonder at the confidence of the Contrivers, in urging that to be a groundlesse imputation and scandall, when we see a Declaration published by the Earle of Newcastle, his Maiesties Generall in the Northern parts, which doth not only confesse that he hath taken divers Popish Recusants in those parts, under his command and conduct, but spends some Leaves (weakly enough) in endeavouring by the examples and presidents of former times, to iustifie the same; and therefore we need not any further to labour the proof of the matter of fact.

For the Allegation, That great number of Popish Commanders and others serve in the Army under the conduct of the Earle of *Essex*, and of the private

promises and undertakings made to them, That if they would assist against his Majesty, all the Lawes made in their preiudice, should be repealed; A charge contrary not only to the profession and severall protestations of both Houses of Parliament, but even to reason and policy it selfe, That they who have raised an Army for the iust defence of their Priviledges, Lawes, and Liberties, and of the true Protestant Religion, should make use of Papists, the only enemies of them all, to be the Instrument and means to protect them.

If the Contrivers of that Declaration had been pleased to name some of that great number of Papists they suppose to be in the Earl of *Essex* his Army, they had not onely afforded us the means to have cleared our selves from that Imputation, by joyning issue with them of the truth thereof, but given us opportunity in case any of that Religion, under the name and profession of a Protestant (for otherwise we are assured they could not) had crowded themselves into the Army, to remove them: But in regard they omitted the mention of any particular, we are confident, That either they could not name any, or in case any of the Popish Religion be in that Army, they are subtilly, by the cunning and malicious practise of our enemies conveyed thither, under the mask and profession of Protestants, to corrupt (if they can) the good affection of others, and so made Instruments to destroy us, as *David Alexander* should have been, had not Gods goodnesse and providence, by a timely discovery, prevented it.

But to shew how much the Parliament did alwayes abhor and detest the ayd and assistance of Papists, of what nature soever, we hold it fit upon this occasion, to let the World know, That about the beginnin^g of this Parliament, divers eminent Papists of this Kingdom did prefer a Petition to the House of Commons, for the repealing of some Lawes now in force against them, with an humble submission to all reasonable Conformity; the substance of the same being opened, it was apprehended with such Indignation, that it was never so much as vouchsafed to be read, but quite rejected.

And upon Information given, That the Lord *Dillon*, and Colonell *Taffe* were employed by the Rebels of *Ireland*, to bring some Propositions to his Majesty; and that (amongst others) one was, That there should be a Toleration of the Popish Religion in *Ireland*; It was thereupon resolved on the eighth of Decemb. 1641, upon solemn debate, by the Lords and Commons, That they would never give consent to any Toleration of the Popish Religion in *Ireland*, or in any other of his Majesties Dominions. And when the Lord *Herbert*, son of the Earl of *Worcester*, this Parliament, made an offer to the House of Commons, to give freely 500^l a yeer, or 5000^l to be disposed at the pleasure of the Parliament, yet the House, though in a time of great necessity to use money, because the same came tendered by the hand of

a Papist, did refuse to accept. All which had been passages of great weakness, had we intended any correspondency with them. And we are confident, That this Change is so full of malice, and so far from truth, that we dare challenge all the world, not to be able to make it good against any one particular Member.

For the matter of his Majesties raising an Army against the Parliament, and taking away the Priviledges thereof, which the contrivers of that Declaration tearmed to be a senselesse scandall, we shall refer it to the judgement even of ordinary Capacities, Whether is most voyd of sense, to say, That this War is raised against the Parliament, or, That both Houses, whereof the one consists of all the Peers, the other, of eminent and principall Gentry of the Kingdom, who for their Abilities, and known Integrities, are by the Univerfall Consent of the Kingdom, chosen to represent them, are governed by the number of not above 12 or 20 persons, and that those few should have a power to force and compell the rest to submit to their Faction, and to have their Libertie and Freedom of Consultation taken from them.

But the truth is, That it is not a few persons, but the Parliament it self is the thorn that lies in these mens sides; which heretofore, when it was wont to prick them, was with much ease, by a sudden dissolution, pulled out: But now that it is more deeply fastned by the Act of Continuance, they would force it out by the power of an Army.

And whosoever will peruse the severall Speeches and Declarations made upon the breaking up of former Parliaments since the beginning of his Majesties Reigne, will finde the pretences of those unjust and illegall Dissolutions, to be grounded upon the exceptions against some particular Members, under the name of a few factious and seditious persons: So that the aspersing and wounding of the Parliament thorow the sides of a few Members, is no new Invention.

And for the satisfaction of all indifferent men, that this War is raised against the Parliament, we shall refer them to former Declarations issued out in his Majesties Name, being so many Invectives, and groundlesse Accusations, not against particular Members onely, but against the Votes and Proceedings of both Houses, and in plain tearms, declaring and publishing both Houses guilty of high Treason; a Charge not to be presided by any former times, or in truth that Councell cannot be capable of.) And that the Earl of Essex, Generall of the Forces raised for the defence of the King, Parliament, and Kingdom, is a Traytor; and that all those that ayd and assist him, thereby comprehending both Houses of Parliament, by whose Command and Authority he bears that place, are Rebels, and guilty of high Treason.

Treason : Notwithstanding all which, the Contrivers of that Declaration can have the face to term it, *Aggrovallle Accusation* to affirm, That the Army raised by his Maieſty, is raised againſt the Parliament, or to take away the priviledges thereof.

But if the truth were, as that Declaration ſeems to imply, That this Army is raised to force ſome particular Members of this Parliament to be delivered up, yet upon that Ground would it follow, That the ſame is levied againſt the Parliament : For it cannot be denied by any ingenious man, but that the Parliament, by their inherent Rights and Priviledges, hath the power to iudge and puniſh their own Members : And we have often declared to his Maieſty and the world, That we were alwayes ready to receive any evidence or accusation againſt any of them, and to iudge and puniſh them according to their demerits ; yet hitherto no Evidence produced, no Accuſer appearing : And yet notwithstanding to raiſe an Army to compell the Parliament to expoſe theſe Members to the fury of thoſe wicked Councillors, that thiſt after nothing more, then the ruine of them and the Common-wealth : What can be more evident, then that the ſame is levied againſt the Parliament ; for did they prevail in this, then by the ſame reaſon might they demand twenty more ; and conſequently, never reſt ſatisfied, untill their malice and tyranny did devour all thoſe Members they found croſſe and oppoſite to their lewd and wicked Deſigns.

Touching the priviledges of Parliament, which the Contrivers of that Declaration (in his Maieſties Name) ſeem to be ſo tender of, and to profeſſe all Conformity unto, and to deny this Army to be raised in any degree to violate, we ſhall appeal to the Judgement of any indifferent man that will take a ſhort view of their proceedings, how little truth is contained in this their Affertion.

The Parliament is to be conſidered in three ſeverall reſpects : firſt, As it is a Councell, to adviſe : ſecondly, As it is a Court, to iudge : thirdly, As it is the Body Representative of the whole Kingdom, to make, repeal, or alter Laws. And whether the Parliament hath enjoyed its priviledges in any of theſe reſpects, let any that hath his eyes open judge.

For the firſt, we dare appeal even to the conſciences of the Contrivers themſelves, Whether the Parliament, for the moſt part of the time they have ſate, hath been conſulted with in any matter concerning the Church or State, of what nature or conſequence ſoever ; nay, Whether matters of higheſt Importance have not been agitated and determined, not only without, but even contrary to their Advice ; and, Whether private and unknown Counſells, deſtructive both to Church and State, have not been hearkned unto, approved, and followed, when the faithfull and wholeſome Advice of that

greatest Councell hath been scorned and neglected; and yet none can deny, but it is one of the principall ends why a Parliament is called to consult of the great Affairs of the Church and State: And what miserable effects, and sad events this neglect of that great Councell, and preferring of unknown and private counsellors before it, hath produced, let the present Distractions of this Kingdome bear witness.

Concerning the second, that is, The Judicature of the Parliament, not to insist upon the private practices, even from the first sitting thereof, to interrupt our legall proceedings against Delinquents, in the secret conveying them beyond the Seas, by immediate Warrants procured from his Majesty, as in the Cases of Secretary *Windebank*, the Lord *Finch*, the Lord *Digby*, M. *Percy*, M. *Germyn*, and others accused in Parliament of high Treason; we shall mention onely what hath been done therein by publike Actions, and of them, recite some few particulars notoriously known to the Kingdome; As first the rescuing of *Beckwith*, a professed Papist, by the Cavaliers, from our messenger at *Tork*, being sent for to answer a notable Delinquency against the Parliament; and by his Majesties own personall command, discharged, though the messenger informed his Majesty of his Warrant from the Parliament to apprehend him, and the violence done him by the Cavaliers, The abusing, beating, and scoffing of divers other our messengers at *Tork*, being sent thither by the Parliament for Delinquents, and forced by the Cavaliers to return back well beaten, without their prisoners: His Majesties expresse Commands sent to severall Sheriffs of this Kingdom, and to divers others, not to obey any Messenger or Command of both or either Houses of Parliament, and to resist them; His Majesties enioyning the Members of both Houses to reside with him, whereas by the legall and respective Summons of both Houses whereof they were Members, they were commanded to repair to the Parliament, and which they were bound, by the Duty of their places and calling, and the known Laws of the Land, to obey: The taking away of the Great Seal, whereby the execution of Justice, which is the soul and life of all Laws, is much interrupted; an act not to be paralleld by the example of any former times, and such (were it done to the meanest Court of the Kingdom) could not be justified, there being no Court without a Seal belonging to it.

The making the Kings Court by the force and power of the Kings Army, the sanctuary and refuge of all sorts of Delinquents against the Parliament and Kingdom, and protecting and defending them from the iustice thereof: His Majesties receiving into His grace and favour, and by force and violence protecting them from the Justice of the Parliament, such as stand impeached of high Treason, and so farre convinced of their own guilt, That they durst

not stand to their Tryall, but fled out of the Realm to avoid the same; and are now returned, and in most eminent credit and esteem with His Majesty, and bear places of great trust in the Army, and stand in defiance of the Parliament, and the Authority thereof; as namely, The Lord *Digby*, Mr. *Henry Percy*, Master *Daniel Onal*, and Captain *Legg*, all impeached of high Treason, Master *Wilmot*, and Master *Asburnham*, impeached of misprision of Treason; and all those Impeachments before any Army raised by the Parliament.

Touching the third particular of making and altering Laws, we shall need to say little of that, it being well known to the Kingdom, that divers Bills highly importing the peace and prosperity of the Church and Commonwealth have past both Houses, and been presented to His Majesty for His Royall Assent, and all denied; and Declarations have been made and published in His Majesties Name, That He would not passe any Bill of what Importance or Consequence soever (the business of *Ireland* excepted) before certain Demands of His Majesty in those Declarations mentioned, which the Parliament could not in Honour or Justice assent unto, were granted. A Declaration, (we are confident) that cannot finde a president to warrant it in any Kings time.

By all which it is apparent how our Priviledges have been torn from us by peece-meals from time to time. And we might mention many passages, whereby they were endeavoured to be pulled up by the Root, and totally subverted. As the attempt to bring up the late Army from the North to force Conditions upon the Parliament; The Petition and Protestation of the Bishops, to Invalidate all the Acts and Proceedings thereof. His Majesties Letters and Commands to the Members of both Houses (which found obedience in a great many) to attend Him at *York*; and so by depriving the Parliament of their Members, destroy the whole Body. But we shall rest satisfied with what is already said, which is enough to prove the vanity of the Contrivers, to feed themselves with hope of belief, That the Priviledges of Parliament are not violated, but intended to be preserved with all due observance.

Concerning the Allegations, That the Army raised by the Parliament is to murder and depose the King; We hoped the Contrivers of that Declaration, or any that professed but the name of a Christian, could not have so little charity as to raise such a scandall, especially when they must needs know the Protestation taken by every Member of both Houses, whereby they promise in the presence of Almighty God, to defend His Majesties Person. The Promise and Protestation made by the Members of both Houses upon the nomination of the Earl of *Essex* to be Generall, and to live and dye.

dye with him, wherein is exprest, That this Army was raised for the defence of the Kings Person.

Our often, earnest, and most humble addressees to His Majesty to leave that desperate and dangerous Army wherewith He is now encompassed, raised and upheld to the hazard of His Own, and the Kingdoms ruine; And to come in Person to His Parliament, where he should be sure to remain in Honour and Safety. And our humble Petition directed to be presented to Him by the hands of the Earl of *Essex*, before any blow given, to remove His Royall Person from that Army, a request inconsistent with any purpose to offer the least violence to His Person, which hath and ever shall be dear unto us.

It was well known we raised not any Forces untill a considerable body of an Army was raised against the Parliament to destroy us, our Liberties and Religion, which being secured unto us, and the Army raised against us disbanded, we shall be ready and willing to disband, and do most earnestly desire it.

And concerning the imputation laid to our charge of our raising this Army to alter the Frame of Government, and established Laws of the Land, we shall need to give it no other Answer then this, That if to raise an Army in our own just defence, when another is marching towards us to destroy us and our Laws, be to alter the Frame of Government, then is that Army raised for that purpose, otherwise it is for our own, and our Laws necessary preservation.

And whereas the Contrivers of that Declaration, urge it as a necessary Consequence, That because the Kings Person was in danger in the late Battell of the three and twenty of *October*. Therefore the Army raised by the Parliament, and that gave Battell to the other Army, was not raised for the defence of the Kings Person, but of purpose to destroy him: We confesse we understand not the Logick thereof, no more then if the Kings Person should be chased, apprehended and possessed by Theeves and Robbers, and the Kings good Subjects should raise an Army to pursue those Robbers, and by Battell dispossesse them of Him, and rescue Him from their Power and Tryanny; That therefore this was an Army raised to murder and destroy the King.

And we cannot but wonder, That we are still charged with that scandall (so often answered,) That the greatest part of our Members are driven away by violence, when instance cannot be made of any one in particular, and that it is well known, That many of them, if not most of them that absent themselves, have been by expresse Letters from His Majesty, commanded to repair to Him to *York*: And contrary to the expresse Summons of either

House required to continue there, and many of them have since been Principalls and Inciters of this War against the Parliament and Kingdom.

Concerning the Book of Common-Prayer, suggested by that Declaration to be rejected; we have by severall Declarations cleared our selves of that charge, That we never rejected it, That we intend to take nothing out of it, but what shall be evill, and justly offensive, or at least but unnecessary and burthen some; and for that purpose to require the Advice of a religious, learned, and Orthodox Assembly of Ministers.

Touching the Aspersions of our giving no countenance to any, but to Brownists and Anabaptists, we would have been very glad to know who, and what kinde of persons the Contrivers of that Declaration intend by Brownists and Anabaptists; for now all such as will not submit to thole unwarranted Ceremonies, and Popish Innovations lately introduced in the Church by the Prelaticall party; such as in truth and sincerity of heart make conscience of their wayes; such as will not by blasphemous oaths prophane Gods Name, and contemn the Lords Day; and such as look after, and heartily wish a perfect and thorow Reformation in the Church, are by that malignant and popish party comprehended under the name of Brownists and Anabaptists: And if by Brownists and Anabaptists they intend such persons, we acknowledge the countenancing of them: But if by that name and stile they mean such who are truly so, according to the reall and proper signification of the expression, we do affirm it to be a false groundlesse imputation: And had not His Majesty (seduced thereunto by that Popish and Prelaticall Faction) denied His consent to the Bill for the Assembly so often by both Houses presented unto Him, we had long since manifested to the world, by a well-settled Reformation, our utter dislike of Brownism and Anabaptism. But we very well know it is one of the stratagems of that Prelatical party, to enterrupt us of the means to settle Church-Government, that by the delay thereof, they may stir up factions and divisions amongst the people (who having not the rule before them, are apt to run severall wayes, and so impute the errors and indiscreet carriage of few persons, unto the Parliament: But God in his good time will unmask their plots, and confound their devices.

The Contrivers of that Declaration suggest an endeavour by us to raise an implacable malice and hatred between the Gentry and Commonalty of the Kingdom; A charge of a very strange nature, That we should endeavour to raise up a spirit of hatred and malice in the Commonalty against our selves; for so it must necessarily follow, unlesse these Contrivers will deny us to have any part or interest in that stile or title of Gentry. And though we know very well there are too many of the Gentry of this Kingdom,

who, to satisfy the lusts of their own ambition, are content, like *Esau*, to sell their Birth-right, and render themselves and their posterity to perpetuall slavery, and care not to submit themselves to any Arbitrary and unlimited Government, so they may for their own time partake of that power, to trample and insult over others: yet we are assured, That there are of the Gentry many worthy and true-hearted Patriots, who are ready to lay down their lives and fortunes (and of late have given ample testimony thereof) for maintenance of their Laws, Liberties, and Religion; and with them, and others of their resolution, we shall be ready to live and die.

• And though we must own it as our duty to use our best endeavours, That the meanest of the Commonalty may enjoy their own Birth-rights, Freedom, and liberty of the Laws of the Land, being equally intituled thereunto with the greatest Subject, yet we hope this is far from any purpose to raise malice or hatred between them and the Gentry, but rather to knit and unite them more fast together.

And that the Commission of *Array* doth take away the estates of the Kings people, is a charge so far from a scandall, or being senseless or impossible, that we are ready to make it good, That it is not onely so in intention, but actually put in execution: For the matter of intention, we shall need to go no further then the words of the Commission it self, that giveth an arbitrary power to the Commissioners, over the persons and estates of the Kings Subjects, which we have made apparent in our Declaration of the illegality thereof; and therefore, as to that particular, shall refer our selves to that Declaration, adding thereunto His Majesties own Letter sent with divers of the said Commissions, to require the Commissioners to bring the Trayned Bands of the severall Counties to attend His Majesties Royall Standard at *Shrewsbury*; and that the severall Counties should furnish them with sufficient Ammunition for the journey, and money to bear their charge: And that the said Commission hath been put in practice to take away the estates of the Kings Subjects, we shall make it good, That by colour thereof, divers great sums of money have been imposed upon the Inhabitants of severall Counties, and they forced to pay the same both by distresse and imprisonment of their persons. And the Commissioners of *Array* in the County of *Carnarvon*, assailed that County by colour of that Commission, to the proportion of above two and twenty Subsidies. And for the levying thereof, issued out Warrants forthwith to distrain, and commit the persons of such as resisted, and accordingly divers were distrained and imprisoned.

And by this time, we are confident, all the world will rest satisfied, That the Kings Army was raised against the Parliament, and to destroy the Rights and Priviledges thereof.

That persons of the Popish Religion are principally employed in that Army, That the same, and the Forces of the North under the Conduct of the Earl of *Newcastle*, and in *Monmouth-shire* and *Wales*, under the command of the Lord *Herbert*, do most consist of Papists, and are maintained and continued by them; That by the power of these Forces, the intention is not onely to subvert Parliaments, and the Laws, but to follow the examples of their Brethren in iniquity, the Rebels in *Ireland*, to pull up the Protestant Religion by the roots, and in the place thereof to plant their own Idolatry and Superstition; That the Army raised by the Parliament is to no other end, but for the preservation of His Majesties person, to defend themselves, the Laws of the Land, and the true Protestant Religion. All which the Lords and Commons thought good to publish, to the intent the danger the Protestant Religion lies under may be clearly discerned, and that all persons that love the same, may now as one man extend their utmost endeavours, and joyn with the Parliament to suppress this popish Army and Forces, that otherwise in a short time will bring our Religion and Kingdom into ruine.

Ordered by the Lords and Commons assembled in Parliament, That this Declaration be forthwith printed and published. H. Elfyng, Cl. Par. D. Com.

To the Kings most Excellent Majesty :

The humble Petition of us the Inhabitants of Lancashire, whose names are hereunder Written, in the behalf of our selves and divers others, being Recusants; Humbly sheweth,

That whereas we and the rest of the said County, Your Majesties most loyal Subjects are distressed, and not sufficiently provided for the defence of Your Royall Person, and our own families; Our most humble supplication to Your Majesty is. That we may be received into Your most gracious Protection from violence; have our Arms taken from us delivered in this time of actual War; and by Your Majesties special directions be enabled further to furnish our selves with competency of weapons, for the security of Your Royall Person (if we be thereunto required) our Countries and Families, who now are not onely in danger of the common disturbance, but also menaced by unruly people to be robbed: And when by the Almightyes assistance Your Majesties Kingdom shall be settled, in case we be again disarmed, That a full value in money in lieu thereof may be restored.

And we shall ever pray, &c.

W. G. C. Tr. C. T. Chr. An. 16. C.

To Our Trusty and welbeloved, Sir *Wil. Gerard* Baronet, Sir *Cecill Trafford* Knight, *Thos. Clifton*, *Charles Townley*, *Christ. Anderton*, and *Jo. Clansfield*, and other of Our Subjects, Esquires, in the County of *Lancaster*.

Cb. R. **T**rusty and welbeloved, We greet you well. Whereas by reason of the Laws and Statutes of Our Realm, by which all Recusants convicted are

to be without Arms, your Arms have been taken from you ; so that now in this time of imminent danger, wherein there are Armies raised against Our Commands, and contrary to Our Proclamations, and are marching against Vs, and divers of Our good Subjects, for obeying Our lawfull Commands, and opposing the rebellious proceedings of others ill-affected, are by strong hand seized upon and imprisoned, their houses plundered; and their goods taken away; and the like is threatened to our selves, who as all others Our Subjects ought to have Our Protection against all unlawfull violence and force : And the Laws made for dis-arming Recusants were made onely for a provision to prevent danger in time of Peace, and were not intended to bar you from a necessary use of Arms in time of actuall War, for your own safety, or for the defence of Our Person against all Rebels and Enemies, which by your duty and Allegiance you are bound unto ; which is not, nor ever was meant to be discharged, or taken away by any Act : And whereas the Arms which were taken from you, ought by Law to have been kept and preserved to have been made use of by you in such time open War, or of such others as you should provide ; yet under the specious pretence of dis-arming Recusants, and persons ill-affected, your Arms have been disposed and dispersed into the hands of severall persons ill-affected, and for the most part Fomentors and Exciters of these Commotions now raised in this Kingdom ; Our Will and Command therefore is, and We charge and require you upon your Allegiance, and as you tender the safety of Our Person, and the peace and welfare of Our Kingdom, That you with all possible speed provide sufficient Arms for your selves, your servants, and your tenants, which We authorize and require during the time of open War raised against Vs, to keep and use for the defence of Vs, and of your selves, and of your Country, against all Forces and Arms raised, or to be raised against vs, or against Our consent, or contrary to Our Proclamations, by colour of any Order, or Ordinance, or Authority whatsoever : And We shall (according as We are bound to all Our Subjects) use Our utmost powers for the protection of you and yours, against all injuries and violence. And whensoever these Arms which you shall so provide (after it shall please God to put an end to these dangers and distractions) shall be taken away from your custody, by reason of Our Laws now in force, We do hereby assure you, We will allow you for the same, so much as you shall have disbursed in provision thereof.

Given under Our Signet at Our Court at Chester, the 27 of September, in the eighteenth year of Our Reign.

Sir William Riddell, Sir Edw. Widtrington, Sir Francis Howard, Sir Nich. Thornton, Col. Tho. Howard, M. Lance Errington, M. Errington of Bescron, M. Geo. Wray, M. Ralph Mellet, M. Chr. Wray, M. Lambton, M. Hodgson, M. Smith, M. David Errington, M. Pudsey, M. Anth. Bulmer, M. Jo. Bulmer, M. Askwith, M. Geo. Collingwood, M. Forcer, M. Evers, M. Holthy, M. Evers, M. William Fenwicke, M. Ratcliff, M. Haggerston, M. Forcer, M. Edw. Gray.

These are the Names of divers of the Colonells, Lieutenants-Colonels, Sergeant Majors, Captains, and Lieutenants that are Papists, and Commanders in the Army, under the command of the Earl of Newcastle.

Hen. Elsing, Cler. Par. D. Com.

Die Sabbati, Octob. 22. 1642.

It is this day ordered by the Lords and Commons in Parliament, That houses for Courts of Guard, and Posts, Bars, and Chains be forthwith erected and set up in such places and by-Lanes of the Parishes of S. Margarets Westminster, S. Martins in the fields, (in the confines of Westminster,) S. Clements Danes, S. Mary Savoy, S. Andrews Holborne, S. Giles in the fields, Coven-Garden, S. John-Street, S. James at Clarken-well, S. Giles Cripplegate, Shorditch, White-Chappell, Hllington, Mile-end, Southwarke, Lambeth, or any other place or places, as shall be thought necessary and convenient for the defence and safe guarding of the said Parishes, places, and by-Lanes, the charge thereof to be borne by the Inhabitants of the severall Parishes aforesaid respectively, who shall be rated and assessed by such Persons respectively, as the Lord Lieutenant of that County or any two of his Deputies shall nominate for that purpose. And if any shall refuse to contribute their proportion, then the said persons so to be named to rate and assess, shall certifie the names of such refusers to the Lord-Lieutenant, or any two of his Deputies, who are to acquaint one or both Houses of Parliament therewith, that such further order may be taken therein as to them shall be thought most convenient; And that a competent number of the Trained-Bands and Companies of Voluntiers, in, and belonging to the said Parishes, shall day and night attend with their Arms, in, or neer the said Court of Guard; who shall have power and authority hereby to apprehend, seize and arrest all suspicious persons, Ammunition and Arms, passing through the said Parishes, places, or by-Lanes, or any part of them, untill either of the said Houses of Parliament be made acquainted therewith, and their pleasure be further known concerning the same; And the Captains and Officers of the Trained-Bands and Voluntiers, And the persons here under named are required to take care that the premises be carefully performed accordingly, which persons are to be named by the Lord Lieutenant, or any two or more of his Deputy-Lieutenants.

Joh. Brown, Cler. Parliam.

A Declaration and Protestation of the Lords and Commons in Parliament, to this Kingdom, and to the whole world. Octob. 22. 1642.

WE the Lords and Commons in this present Parliament assembled, do in the presence of Almighty God, for the satisfaction of our consciences, and the discharge of that great trust which lies upon us, make this Protestation and Declaration to this Kingdom and Nation, and to the whole world, That no private passion or respect, no evill intention to His Majesties person, no design to the prejudice of His just honour and Authority, engaged us to raise Forces, and take up Arms against the authors of this War, wherewith the Kingdom is now enflamed. And

And we have alwayes desired from our hearts and souls, manifested in our actions and proceedings, and in severall humble Petitions and Remonstrances to His Majesty, professed our loyalty and obedience to His Crown, readiness and resolution to defend His Person, and support His estate with our lives and fortunes to the uttermost of our power.

That we have been willing to passe by, not only those injuries, ignominies, slanders, and false accusations, wherewith we have been privately oppressed and grieved, but likewise many publike incroachments, and high usurpations, to the prejudice of Religion and Liberty, divers bloody, trayterous and cruell practises and designs, for the utter ruine and destruction of the Church and State, so as we might for the time to come have been secured from that wicked and malignant party, those pernicious and Trayterous Counsels, who have been the authors and fomentors of the former mischiefs, and present calamities which have and still do distemper this Church and State.

That for the same purpose, and for the avoiding of blood, we directed the Earl of *Essex* Lord Generall, by himself or others, in some safe and honorable way, to cause to be delivered an humble Petition, wherein we do desire nothing from His Majesty, but that He would return in peace to His Parliament, and by their faithfull counsell and advice, compose the distemper, and confusions abounding in his Kingdoms, as he is bound to do, we therein profess in the sight of Almighty God, which is the strongest obligation that any Christian, and the most solemn publike Faith which any such State as a Parliament can give, That we would receive Him with all honour, yeeld Him all true obedience and subjection, and faithfully endeavor to defend His person and estate from all danger, and to the uttermost of our power to establish Him and His People, all the blessings of a glorious and happy Reigne, as it is more largely exprest in that Petition.

For the delivery of which Petition, his Excellency hath twice sent unto the King, humbly desiring a safe-Conduct for those who should be employed therein: But His Majesty refused to give any such safe-Conduct, or to receive this humble and dutifull Petition, by any addresse from the Earl of *Essex*, saying, That if Justice had been done, the Gentleman which brought the second Message could not expect his liberty.

By all which, any many other evidences and inducements, we are fully convinc't in our judgements and belief, That the Kings counsels and resolutions are so engaged to the Popish party, for the suppression and extirpation of the true Religion, that all hopes of peace and protection are excluded; and that it is fully intended to give satisfaction, and to the Papists, by alteration of Religion, and to the Cavaliers and other Souldiers, by exposing the wealth of the good subjects, especially of this City of *London*, to be sacked, plundered, and spoiled by them.

That

That for the better effecting hereof, great numbers of Papists have in ſtew conformed themſelves to the Proteſtant Religion, by coming to the Church, receiving the Sacrament, and taking the Oaths of Allegiance and Supremacy, which ſome of their own Priests have encouraged them to do, by maintaining. That they might do all thoſe things, and yet continue good Catholics: Under which cover His Maſteſty did at firſt begin to ſtrengthen himſelf, thoſe of that Religion being weak, and unable to endure the envy and diſcontent which the arming of Papists would procure in the Kingdom, and therefore undeavoured to keep off all jealousies and ſuſpicions, by many fearful oaths and imprecations, concerning His purpoſe of maintaining the Proteſtant Religion, and the Laws of the Kingdom; cauſing ſome proteſt Papists to be diſcharged out of His Army, and none to be received, that would not endure the Teſt of coming to Church, receiving the Sacrament, and taking the oaths of Allegiance.

That His Maſteſty being now grown ſtronger, and able, as he conceives, to make good His own ends by Arms, His confidence in the Priests doth more clearly appear: perſons imprifoned for Priests and Jeſuites have been releaſed out of the Jayl of *Lanceſter*; proteſt Papists have been invited to riſe and take up Arms; Commiſſions under His Maſteſties Authority, have been granted to many of them for places of command in this War, with power to raiſe men, and great numbers have been raiſed by them, and they dayly increaſe; as namely, to Sir *Nicholas Thornton*, Sir *Tho. Howard*, Bar. Sir *Edw. Widdrington*, Sir *William Kiddell*; M. *Smith* of *Aſh*, M. *George Wray*, M. *Edward Gray* of *Morpeth Caſtle*, M. *Lancelot Errington* of *Denice*, M. *Lancelot Helby*, all of *Northumberland*, Biſhoprick of *Durham*, and *Newcaſtle*; to M. *Clifton*, M. *William Walter*, Sir *William Gerrard* Baronet, Sir *Cecill Trafford*, M. *Anderson* of *Loſtack*, in the County of *Lanceſter*; and divers Forces are raiſed and payed by the Earl of *Worceſter*, and his ſon the Lord *Herbert*, a notorious Papist, is made Generall of all *South-Wales*: and we are further informed out of *Yorkſhire*, by divers perſons of great worth, and quality, That thoſe that raiſe Forces in theſe parts for His Maſteſty, do arm and employ Papists, and uſe their advice in their conſultations, al which is contrary to the ſolemn oaths, proteſtations, and execrations, whereby His Maſteſty bound himſelf to maintain the Proteſtant Religion, and the Laws of the Land, by which he endeavored to get a confidence in the people, of his good intentions, w^{ch} how wel it is answered, we leave to the world to judge.

That Sir *Jo. Hinderson*, and Coloneſſ *Cockrom*, men of ill report both for Religion and honeſty, ſent to *Hamburgh* and *Denmark*, as we are credibly informed, to raiſe Forces there, and to bring them to *Newcaſtle*, and to joyne with the Earl of *Newcaſtle*, and the Army of Papists which they intend to raiſe

raise there, and that divers endeavours have been used in other forraign parts, to bring in strange Forces into the Kingdom, That the King hath received about him divers Papists of Ireland, some of which are indited of high Treason for their Rebellion there, notoriously known to have been in a^{ct}uall Rebellion, as namely, the L. Taffe, Sir Iohn Oungane, proclaimed a Reb^{ell}, Colo. Fitz Williams, Doctor Meara, indited for the Rebellion in Ireland, and fled for the same, and yet appointed Physician to Prince Rupert, And that His Majesty hath sent for the Petition of the Irish Rebels, which the Iustices had stopt, with evident expression of favour to them, whereby that Kingdom is like to become an unfit habitation of any Protestants, and a Seminary of War and Treason against this Kingdom.

That divers English Traytors, actors in the former designs against the Kingdom and Parliament, are the chief Counsellors and actors in this unnaturall War against his Subjects, as the Lord Digby, Oneal, Wilmot, Pollard, Ashburnham, and others,

That we have been likewise credibly informed, That divers Iesuites and Priests in forraign parts, make great Collections of money, for relief of the Papists in Ireland, and the furthering of His Majesties designs here against the Parliament, and that by them and some others, fled out of this Kingdom for Treason, great means are made to take up the differences betwixt some Princes of the Rom. Religion, that so they might unite their strength, for the extirpation of the Protestant Religion, wherein principally this Kingdom, and the Kingdom of Scotland are concerned, as making the greatest Body of the Reformed Religion in Christendom, and best able to defend themselves, and succour other Churches.

For all which reasons we are resolved to enter into a solemn Oath and Covenant with God, to give up our selves, our lives and fortunes into his hands, and that we will to the uttermost of our power and judgement maintain his truth, and conform our selves to his will. That we will defend this cause with the hazard of our lives, against the Kings Army, and against all that joyn with them in the prosecution of this wicked design, according to the Form to be agreed upon by both Houses of Parliament, to be subscribed by our hands, and that we will for the same ends associate our selves, and unite vvith all the well affected in the City of London, and other parts of His Majesties Dominions.

That vve expect our brethren of Scotland, according to the Act of Pacification vvhereby the two Kingdoms are mutually bound to suppress all debates and differences, to the disturbance of the publike peace, that they vvill help and assist us in defence of the Cause, vvich if the Popish party prevail, must needs either involve them in that alteration of Religion which will be made here, or engage them in a War against this Kingdom, to defend their own Religion and liberty: and we doubt not but the God of truth, and the great Protector of his people, will assist and enable us in this our just defence, to restrain the malice and fury of those that seek our ruine, and to secure the persons, estates, and liberties of all that joyn with us: And to procure and establish the safety of Religion, and fruition of our Laws and Liberties, in it is and all other His Majesties Dominions, which we do here again profess before the ever-living God, to be the chief end of all our Counsels and Resolutions, without any intention or desire to hurt or injure His Majesty, either in His Person, or just Power.

Octob. 22. 1641. Ordered by the Lords and Commons in Parl. that this Declaration be forthwith printed, and read in all Churches and Chappels in England and Wales, by the Parsons, Vicars, or Curates of the same.

Io. Brown, Cler. Parliamen.

His Majesties Declaration, to all His loving Subjects, upon occasion of a late Printed Paper, Entituled, A Declaration and Protestation of the Lords and Commons in Parliament to this Kingdome, and the whole World, of the two and twentieth day of October, 1642.

In truth the Framers of this Declaration are not engaged by any private passion or respect, by any evill intention to Our person, or designe to the prejudice of Our just Honour and Authority, to raise these forces and Army against Vs (as they call Almighty God to witnesse they are not) they will think it their duty to disclaim the protection of the Conductors of that Army, who the next day after this so solempne Protestation, used their utmost power by the strength of that Army to have destroyed Vs, and put Our Person (for whose defence they would make the World believe this Army is raised) into as much danger as the skill and malice of desperate Rebels could doe, otherwise this Protestation now made, will appeare of the same nature with those by which they promised to make Vs a Glorious King, when by their nineteen Propositions they endeavoured to strip Vs of all those Rights which made Vs a King, and their Subjects.

What those Actions and proceedings have bin which have manifested their Loyalty and Obedience unto Vs, will be as hard to find, as their humble Petitions and Remonstrances, when in truth their Actions have bin the greatest scornes of Our Authority, and their Petitions the greatest reproaches and challenges of Vs, which any age have produced; And we have not only the cleere evidence of Our own Conscience, but the testimony of all good men, that Wee left no action unperformed on Our part, which might have prevented the misery and confusion which the Ambition, Fury, and Malice of these seditious persons have brought upon this poore Kingdome, neither is there any thing wanting to the happinesse of Church and State, but that peace and order which the faction of these men have robbed them of.

But they directed their Generall the Earle of *Essex* to deliver an humble Petition to Vs wherein they desire nothing from Vs, but that Wee would returne in peace to Our Parliament, and by their faithfull Counsell and advice compose the distempers and confusions abounding in Our Kingdoms, as Wee are bound to doe. Wee were never so backward in receiving, or so slow in answering the Petitions of either, or both Our Houses of Parliament, that there was need by an Army to quicken Vs, which either or both Houses of Parliament have in no case no more shadow of Right or power to

raise by any Law, Custome, or Priviledge, then they have by their Votes to take away the lives and fortunes of all the Subjects of *England*, yet the framers of this Declaration take it unkindly, that upon their profession in the sight of Almighty God (which is they say the strongest assurance that any Christian can give) Wee did not put Our selfe into their hands (those hands which were lifted up against Vs, and filled at that time with Arms to destroy Vs) and leave a strength God had supplied Vs with, of good and faithfull Subjects, who notwithstanding all their threats and menaces had brought themselves to Our assistance. If that Petition had bin so humble as they pretended, they would not have lost the advantage of publishing it in this their Declaration, that the World might as well have bin witness of Our refusall of peace as it hath bin of their dildain of any way to it, when they rejected Our severall earnest offers of a Treaty.

But why did they not send this humble Petition? His Excellence twice sent unto Vs for a safe conduct for those who should be employed therein, and wee refused to give any, or to receive the humble and dutifull Petition. Sure when Our good Subjects shall understand the strange enmity between these men and truth, the no-conscience they use in publishing, and informing those by whom they pretend to be trusted, things monstrous and contrary to their own knowledge, they will not be lesse offended with their falshood to them, then their Treason to Vs. 'Tis well known wee never refused to give admittance to any Message or Petition from either or both Houses of Parliament, their Messengers have bin received and entertained not only with that safety, but with that candor, as is due to the best Subjects, when their Errand hath bin full of reproach and scorn, and the bringers, bold, arrogant, and seditious in their demeanour, & therefore there needed to have bin no more scruple made in the delivery of this, then the other Petitions which have bin brought Vs; the truth is, wee were no sooner acquainted at *Shrewsbury*, by the Earl of *Dorset*, that hee had received a Letter from the Earl of *Essex*, intimating that he had a Petition from both Houses to be delivered to Vs, and to that purpose asking a safe convoy for those who should be sent, but We returned this Answer, That as we had never refused to receive any Petition from Our Houses of Parliament, so Wee should be ready to give such a Reception and Answer to this as should be fit, and that the bringers of it should come and goe with all safety, only Wee required that none of those persons whom Wee had particularly accused of high Treason should be, by colour of that Petition, employed to Vs. After this We heard no more till a second Letter, at least a fortnight after the first, to the Earle of *Dorset*, informed Vs, that our former Answer was declared to be a breach of priviledge that We would not allow any Messengers to come to Vs, that is, that Wee were not

content that such persons who had conspired Our death, might securely come into Our presence; our second Answer differed little from Our former, insisting that the Addresse should not be made by any of those persons whom Wee had particularly accused of high Treason, amongst whom the Earl of *Essex* himself was one, but declaring that Our Eare should be still open to heare any Petition from Our two Houses of Parliament: whether this were a deniall from Vs to receive their Petition, or whether if Our two Houses of Parliament had indeed desired to Treat with Vs by Petition, they might not as well have sent it to Vs, as they have done since, their Instructions to their Ambassadors into *Ireland*, and their new Bill for rooting out Episcopacy, and devising a new forme of Church-government, let all the World judge. Wee have reason to believe that the Petition then prepared for Vs (if VVe have seen the true Copy of it) was thought by the persons trusted for the presenting it, fitter to be delivered after a Battail and full Conquest of Vs, then in the head of Our Army, when it might seeme somewhat in Our power whether Wee would be deposed or no.

For that continued dishonest Accusation of Our Inclination to the Papists (which the Authours of it in their owne consciences (which will one day be dreadfull to them) know to be most unjust and groundlesse,) Wee can say no more and VVe can do no more to the satisfaction of the VVorld, if they know that the Romish priests have encouraged those of that Religion to conforme themselves to the Protestant Religion, by comming to Church, receiving the Sacrament, and taking the Oaths of Allegiance and Supremacy, they are more conversant with the subtilties of them then VVe are, but Wee must confesse till VVe be certain they have found that way to deceive Vs, that is, to delude the Laws which are against them, VVee shall in Charity believe their conformity to be reall, and not pretended; but that any Priests or Jesuits imprisoned have bin released by Vs out of the Goale of *Lancaster*, or any other Goale, is as false (so use an expresseion of their own) as the Father of Lyes could invent, neither are the persons named in that Declaration to whom Commissions are supposed to be granted for places of command in this VVar; so much as knowne to Vs, nor have they any command, or to Our knowledge, are present in Our Army, and 'tis strange that Our Oaths and Protestations before Almighty God, for the mayntenance of the Protestant Religion should be so slighted in the end of this Declaration, when in the beginning of it, it is acknowledged to be the strongest obligation and assurance that any Christian can give. VVe desire to have Our Protestations believed by the evidence of Our Actions. But they are informed (and that is ground enough for them to lay the basest imputation upon their Sovereigne) that Sir *John Henderson*, and Colonell *Cockram* (men of ill report both for Religion and honesty) are sent to *Hamboroug* and *Den-*
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marks, (VVe thought VVe should have heard no more news from Denmark) to raise forreigne Forces, and to bring them hither. VVee have before in Our Declarations (sufficient to satisfie any honest man,) declared Our opinion and Resolution concerning forreigne Force, and VVe had never greater cause to be confident of security in Our own Subjects, and therefore cannot believe so vile a scandall can make any impression in sober men. Let a list of the Nobility and Gentry about Vs, and in Our Service be viewed, and will they not be found the most zealous in the Protestant Religion, the most eminent in reputation, of the greatest fortunes, and the greatest fame, the most publicke Lovers of their Country, and most earnest assertors of the Liberty of the Subject, that this Kingdome hath? How different the reputation of the principall Ring-leaders of this faction and Rebellion is, *how carefull they are of employing vertuous and honest men, is apparent to all the World: when they have entertained all the desperate and necessitous persons (whereof very many are Papists; Which Wee speake knowingly, as having taken severall of them prisoners) they can draw to them: and when they supersede a proceeding at the Common Law for an odious and infamous crime, that Master Griffen may have liberty to keep them company in this Rebellion.*

For our affection and gracious inclination to the City of London, and how far we are from any such purpose, as these impious men charge us with, appears in our late Proclamation, in which VVe declare the Suburbs to be comprehended as well as the Cities of London and Westminster, to which VVee doubt not they will give that credit and obedience, as VVe shall have cause to commend their loyalty in joyning with Vs to suppress this Rebellion, which uncontrolled, in a short time, must make that place most miserable.

For the Oath and Covenant which they threaten Vs with, if it be to engage them to do or not to do any thing contrary to the Oaths they have already taken of Allegiance and Supremacy, as it cannot oblige them being taken, so VVe doubt not Our good Subjects will easily discern that it is a snare to betray and lead them into a condition of the same guilt, and so of the same danger with themselves; And VVee must therefore declare whosoever shall hereafter suffer himselfe to be cozened by those Stratagems, and take such a voluntary Oath against Vs, VVe shall impute it to so much malice, as will render him incapable of Our pardon, and shall proceed against him as a desperate Promoter of sedition, and an Enemy to the Kingdom.

Let all honest men remember the many gracious Acts VVee have passed this Parliament for the ease and benefit of Our people, that when there was nothing left undone or unoffered by Vs, which might make this Nation happy, these mischievous Contrivers of Ruine, in stead of acknowledging Our Grace and Justice, upbraided Vs with all the Reproaches malice and cunning could

invent in a Remonstrance to the people (a thing never heard of till that time) that having thus incensed mutinous and seditious minds, they made use of them to awe the Parliament, drave Vs, and the major part of both Houses from Our City of *London*, that they took away Our Fort and Towne of *Hull* from Vs, kept Vs from thence by force of Armes, and imployed Our own Magazine against Vs, that they seized upon our Royall Navy, and with it chased our good Subjects, and kept all supply from Vs, that they voted away Our negative voice, and then raised a formidable Army to destroy Vs, that when they had thus compelled Vs, by the help of such of Our good Subjects who against the fury of these men durst continue loyall, to raise some power for Our defence, they absolutely and peremptorily refused to treat with Vs for the peace of the Kingdome; and lastly, that on the three and twentieth day of *October*, they brought this Army (raised for the defence of Our person) into the Field against Vs, and used their best skill and meanes to destroy Vs, and Our Children, VVe say whoever remembers and considers this progresse of theirs, will thinke of no other Covenant then to joyne with Vs in the apprehending the Authours of this miserable Civil-war: that posterity may not with shame and indignation finde that a few Schismaticall, ambitious persons, were able to bring such a flourishing glorious Kingdome, which hath so long resisted the envy of Christendome, to a speedy desolation, to satisfie their owne pride and ambition. And VVe doubt not Our good Subjects of *Scotland*, will never thinke themselves engaged by the Act of Pacification (to which VVe willingly consented) to assist a Rebellion against their own naturall King, for the assistance of persons accused and notoriously knowne to be guilty of high Treason, the bringing of whom to condigne punishment, would with Gods blessing, be a speedy means of happinesse and peace to Our three Kingdoms.

A Declaration of the Lords and Commons Assembled in Parliament, For the speedy putting this City into a posture of defence, and to fortifie all the passages into the same, Drivers Rebels, Traytors, and other ill-affected people in pursuit of a wicked designe to alter Religion, being now marching against the Parliament for destruction of the same, and of the City of London.

WHereas divers Rebels, Traytors, and other ill-affected people, in pursuit of a wicked designe, to alter Religion, and subvert the Laws and liberty of the Kingdome, are marching against the Parliament, and for destruction of the same, and of the City of *London*, having plundered,

spoyled and destroyed divers of his Majesties good Subjects in their passage to the great terrour of the people, and danger of the Parliament, City, and of the whole Kingdome; for the prevention whereof, It is ordered by the Lords and Commons in Parliament, that the Committee for the *Militia* of the City of *London*, be authorized and required to take a speedy course to put the City in a posture of defence, to resist and oppose all such Force, to fortifie all the passages into the same, Suburbs and places adjoyning, whether the same be within or without the said City, and Liberty; likewise all the streets of the same, and that they have power, and be hereby authorized to leavy the Trained-bands and other Forces of the City aswell Horse as Foot, and to place the same under fit Captaines, and other Officers for defence of the Parliament, City, Suburbs, and other his Majesties Subjects, And to lead and conduct the said Forces as well in the places without the said City, and Liberty as within, and to give battell and fight with the said Rebels and Traytors, their adherents, and all other that shall approach with any force towards or against the City, or raise any insurrection within the same, and them to invade, resist, repress, subdue, pursue, kill and slay, and put to execution of death, and by all means to destroy as enemies of the Kingdome; And to performe all things else needfull for the preservation of the Parliament and City, either by Water or Land, observing from time to time such other directions or commands as they shall receive from both Houses of Parliament, the Committee for the safety of the Kingdome, or the Earle of *Warwicke* Lord Generall; And for their so doing this shall be a sufficient warrant.

The said Lords and Commons do further ordaine and declare, That the said Committee for the *Militia*, and every of them, and all the Commanders and Officers employed in this service, And all other his Majesties Officers and Subjects whatsoever in the execution of the premises shall be saved harmlesse, and defended by the power and Authority of both Houses of Parliament.

An Orlnance of both Houses of Parliament, declaring their Resolutions of making provision for those that shall be maimed in this present war, who are in the service of the Parliament; and for the wives and children of those that shall bee slaine.

VHereas divers persons now are, or hereafter may be in the service of the Parliament, in the present War. undertaken for the preservation of the Kings Majesties Person, the defence of the Religion and Lawes of the Realme, and of the just Liberties of the Subjects, who have little or nothing to maintaine themselves, their wives, and children, but by their own labours, The Lords and Commons for their better encouragement in the service, doe order and

and declare, that they the Lords and Commons will provide competent maintenance and allowance for such of them as shall be maimed, and thereby disabled by their labour to provide for themselves, their wives or children, as formerly they did. And in the distribution of such allowances and rewards they will alwaies have regard to the deserts and service of each person. And in case any such Person shall be slaine, that they will make provision for the livelihood of their wives or children.

And in case any persons of estate shall be slaine, or die in this service, the said Lords and Commons doe declare, that they will take the estates, wives and children of such persons into their protection; And in case their estates shall not at the time of the death of such persons be settled, they will be alwaies assistant to the friends of the party deceased, in the settling and disposing of their estates in such manner as may be for the most advantage of their wives and children; And shall upon all occasions let their children and posterity know the respect they beare to the memory of those who have spent their lives in the service of the Church and Common-wealth.

Die Martis 25. Octob. 1642.

Ordered by the Lords and Commons assembled in Parliament, that this Declaration and Ordinance be forthwith printed and published.

J. Brown Cler. Parliamentorum.

FINIS.

By the King.

His Majesties offer of Pardon to the Rebels now in Arms against Him.

WHEREAS an actual and Open Rebellion is raised, and severall Armies marching against Us, under the Command and Conduct of Robert Earl of Essex, and other persons under his Commissions and Authority, who falsely pretend that what they do, is by vertue of Our Authority, and for Our Service, and to seduce many of Our weak Subjects from their duty and Allegiance, into this horrid and odious Rebellion against Us; We do therefore declare said the Robert Earl of Essex, and all such who by any Commission under him have leaved, or do command any Souldiers, to be guilty of High Treason, and that this Rebellion is raised to take away Our life from Us, To destroy Our Posterity, To change the blessed Protestant Religion established by the Laws of the Land, To suppress the Law, of the Kingdom, and to take away the Liberty of the Subject, and so and to subject both to an unlimited Arbitrary Power

Power. And We do therefore will and command all Our loving Subjects upon their Allegiance, and their Oaths of Allegiance, and Supremacie, that they apprehend the said Earle of Essex, and all such who by vertue of any Commission under him have leaved, or do now Command any Souldiers in any places of this Kingdom as guilty of High Treason. And to any common Souldiers so raised, We do grant Our free and generall Pardon, as to Persons seduced by the cunning and falshood of the Authoers of this Rebellion, if such Souldiers shall disband within six dayes after the publishing of this Our Proclamation, so they commit no Hostile Act in the mean while against Us. And if such Souldier or Souldiers shall within that time apprehend and bring before Us, or any Officers of Our Army, the bodies of any of the Commanders or Officers now in Rebellion against Us, he and they, besides their Pardons, shall receive such liberrall rewards by Pensions or otherwise as their severall services in respect of the qualitties of the Persons so apprehended shall deserve. And if any Commander or Officer of any of the Armies now in Rebellion against Us, shall within four dayes after this Our Proclamation published, being convinced in his Conscience of his damnable offence against God and Us in assisting this odious Rebellion, return to his Allegiance, and repair to Our Army, and commit no Hostile Act in the mean while against Us, We shall not onely pardon him, but so far employ him as his quality and demeanour shall deserve; Except all such persons whom We have before excepted in Our Declaration of the twelfth of the last August. And We do hereby require all Our loving Subjects of what Degree or Quality soever, upon their Allegiance, and as they tender the cause of God, (the Protestant Religion being invaded, and threatened to be rooted up by Anabaptists, Brownists, and Atheists) of Us and Our Posterity, (Our life being sought after by this Rebellion) and of themselves (the Law and Liberty of the Subject being in apparent hazard to be subjected to an Arbitrary Lawlesse Power of a few Schismaticall, Factionous and Ambitious persons) to assist Us in person, or with the Loan of Money, Plate and Horses in this Our great necessity.

And We do further declare to all Our loving Subjects, That as We have and shall take all possible care to prevent the sufferings of Our good people by the Souldiers of Our Armie, so what ever pressures shall unavoidably fall upon them, by reason of the violence offered unto Us, in seizing and detaining Our own Money and Revenue from Us, We do promise in the word of a King, to satisfie them for the same as soon as God shall enable Us. And the better to encourage Our good Subjects to aid and assist Us in this Our necessary defence, to which their duty to God and Us ob-

tiges them. We do declare, That whosoever shall lose his life in this Service, the Wardship of his Heir shall be granted by Us without Rent or fine to his own use. And We shall hold Our Self obliged to take all possible care for the Support, Relief, and Protection of all their Wives and Children, who shall have the hard fortunes to die in this Service.

Given at Our Court at *Edge-hill*, this 24. day of October, in the eighteenth year of Our Reign.

God save the King.

By the King.

His Majesties Gracious Proclamation to the Cities of *London* and *Westminster*.

WHEREAS amongst other Arts used by the Promoters of this horrid and desperate Rebellion against Us, great Industry and Subtily hath been applied to corrupt Our Subjects of Our Cities of London and Westminster, first by engaging them in factions and Tumults to alve the members of both Our Houses of Parliament who would not consent to their seditious Designs; Then by perswading them to Loans and Contributions for the maintenance of the Army now in Rebellion against Us, upon pretence that the same was raised for the defence of Our Person, The Protestant Religion, the Laws of the Land, and Priviledge of Parliament (Whereas in truth it is for the destruction of them all) by their yeelding obedience to, and executing the pretended Ordinance of the Militia: And lastly, by infusing into them a desperate sense of their own Condition, and that We are so much incensed against them for the Premises, that We intend to plunder, and give up the Wealth of those Our Cities as a prey to Our Soldiers: We do hereby declare, That We are yet far from being so much incensed against those Our Cities as these men desire to be beleebed, and in truth have endeaboured to make Us, but We beleeb that those Tumults were contrived by the Persons whom We have formerly accused of that practice, and raised out of the meanest and poorest People of those Our Cities and Suburbs, without the privacy and consent of the best and substantiall Citizens and Inhabitants, and that the Loans and Contributions which have been since raised, (though they have passed moze generally then We expected from the duty and sobriety of men of Fortunes and understanding) have been wrested and extorted from them by Threats and Menaces, and fear of plundering and violence. And therefore We do hereby offer Our free and gracious pardon to all the Citizens

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and Inhabitants of Our said Cities of London and Westminster for all offences concerning the Premises committed against Us before the publishing of this Our Proclamation, (except all those Persons whom We have excepted in Our Declaration of the twelfth of August, and except Alderman Fulke, and Captain Manwaring, against all which We shall proceed according to the rules of Law, as against Traitors and Stirrers of Sedition against Us) and We do assure them in the word of a King, that no violence shall be offered by Our Army, or any part of it to any of them, not doubting but their demeanour will henceforward be such, that We shall not be compelled to bring Our Army against them.

Provided that this Our Grace shall not extend to any Person, who after the publishing this Our Proclamation shall presume by Loan or contribution to assist the said Army of Rebels, to assemble and muster themselves in Arms without Authority derived from Us under Our hand, or to enter into any Oath of Association for the Assistance of the Earl of Essex, how specially soever the same be pretended for Our safety: for since the encounter on Sunday the 23. of this Moneth, where they used all possible means and malice to have destroyed Us, and where it pleased God to give Us so great a victory over them (though with the loss of many worthy men) no man can be unsatisfied in the mischief and malice of their Rebellion. And therefore We must, and do declare, That whosoever shall henceforward by money, plate, or otherwise assist the said Rebellion, shall take Arms by vertue of any pretended Ordinance, or shall enter into any Oath of Association against Us, or without Our Consent, shall be esteemed by Us as an enemy to the publick Peace, a person disaffected to Us, the Religion and Law of the Kingdom, and shall accordingly receive condigne punishment; of which We give them timely notice, that they may proceed accordingly at their perils. And to the end that they may receive all possible and particular assurance from Us of Our gracious Intentions towards them, We shall be willing that such a number of grave and substantiall Citizens be employed from Our said City to Us, as shall by them be thought fit, who may propose such things to Us on their behalf as shall be desired, to which we shall give a gracious and iust Answer. And we do assure them and all the world, that as the Scandalls and Imputations upon Us concerning Our favouring of Papists have been groundlesse, and maliciously contrived by the Authors of this Rebellion to beget a misunderstanding between Us and Our Subjects, so all the professions We have made in Our severall Declarations for the suppression of Popery, and the maintenance of the true reformed Protestant Religion established in the Church of England, and for the defence of the Lawes of the Land, and the iust Priviledges of Parliament, shall

be as intolably observed by Us, as the expected blessing from the Almighty God, and obedience from Our Subjects.

Given at Our Court at *Ayne* this 27. of *October* in the eighteenth yeer of Our Raigne.

God save the King.

His Majesties Declaration to all His loving Subjects upon occasion of His late Messages to both Houses of Parliament, and their refusall, to treat with Him for the Peace of the Kingdome.

IF it had not evidently appeared to all men who have carefully examined and considered Our Actions, Messages, and declarations, how farre We are and have been from begetting or promoting the present Distractions, and that the Armes We have now taken are for the necessary safety and defence of Our life, being not taken up by Us till Our Town and Fort of *Hull* were kept from Us by force of Armes, Our Navy employed against Us to keepe all forraigne supply of Arms and Money, when Our own here was seized and detained from Us, and an Army raised in pay, and Marching against Us, yet the late reception of Our Message of the 25th of *August* sent by Persons of Honour and Trust, will sure satisfie the world, that We have omitted nothing on Our part that a gracious and Christian Prince could or can doe to prevent the effusion of Christian Blood, but that the Malignant Party, which have with great subtilty and industry begot this misunderstanding between Us and Our good Subjects, resolve to satisfie and secure their malice and Ambition with the ruine of the Kingdome, and in the blood of Us and all Our good Subjects.

When they had forced Us, after the neglect of Our Message from *Beverly* by raising a great Army, and incensing Our Subjects against Us, to erect Our Royal Standard, that Our Subjects might be informed of Our danger, & repair to Our Succour, though We had no great reason to beleave any Message of Ours would receive a very good entertainment, if those men might prevaile, who had brought all these miseries upon the kingdom to satisfie their own private end, yet observing the miserable accidents which already befel Our good Subjects by the Souldiers under their command, and well knowing that greater woe & evill, if timely prevention were not applyed; and finding that the malice and cunning of these men had infused into Our People a Rumor, that We had rejected all Propositions and offers of Treaty, and desired to engage Our Subjects in a Civil War, which Our Soule abhors, we prevailed with Our selfe (for a full expression of Our desire to prevent the effusion of Blood) to send a gracious Message to both Our Houses of Parliament on the 25. of *August*. Which Message you shall find in folio 579.

Our Messengers were not suffered to sit in the Houses, and one of them, the Earle of *Southampton* (against whom there was not the least colour of exception or so much as a vote) not suffered to deliver Our Message, but compelled to send it by the Gentleman Usher, and then commanded to depart the Towne, before they would prepare any Answer which they shortly sent Us. Which Answer you shall find in folio 580.

Which strange Answer wight well have discouraged Us from any thought of proceeding further this way, and informed Us sufficiently what spirit still governed amongst those few, who continued still in both Houses, otherwise after so many bitter and invective Messages and Declarations sent to Us, and published against Us, We should not have been reproached with Our Proclamations and Declarations set forth by Us, as the effect of such evill Counsell, as was unparallel'd by any former Examples. We beleeve indeed such Proclamations and Declarations have never been before set forth; but were former times ever acquainted with such intolerable provocations? were there ever before these twelve Moneths Declarations published in the name of either or both Houses of Parliament to make their King odious to the People? Have either or both Houses ever before assumed or pretended to a Power to raise Armes, or leavy Warre in any Cause, or can both Houses together exercise such a power? Are those Actions which the Law hath defined literally and expressly to be treasonable, or such persons to be Traitors? not so, because they are done by Members of either House, or their appointment. And must not We declare such who March with Armes and Force to destroy Us, to be Traitors, because the Earle of *Essex* is their Generall? Those whom We have or doe accuse, We have named together with their Crimes, notorious by the known Law of the Land, (a favour not granted to Our evill Counsellors) and appeale to that knowne Law to judge between Us: And now that by this Wee should have put the whole Kingdome out of Our Protection (in whose behalfe We doe all that We have done) is a corrupt Glosse upon such a Text, as cannot be perverted but by the cunning practices of such who wish not well to King or People, yet that no weake persons might be misled by that imputation upon Us, Wee sent a Reply to that Answer, which Reply you shall find in folio 583.

This Message produced an Answer little differing from the former, like men who had no other measure of the Justice of their Cause, then their Power to oppresse Us, forgetting their own duties, they sharply informe Us of Ours, which Answer you shall find in folio 584.

Without any bitterness or reprehension of their neglect of Us, and the publique Peace, to expresse Our deep sense of the Calamities at hand, We yet once more (hoping to awake them to a Christian tendernesse towards the whole Kingdome) sent to them Our Message, as you shall find it in folio 586.

But as if all these gracious Messages had been the effects only of Our weaknesse, and instances of Our want of Power to resist that torrent, they deale at last more plainly with Us, and after many sharpe, causelesse, and unjust reproaches, they tell Us in plaine English, that without putting Our Selfe absolutely into their hands, and deserting all Our owne Force, and the protection of all those who have faithfully appeared for Us according to their duty, there would be no means of a Treaty, although Our extraordinary desire of Peace had prevailed with Us, to offer to recall Our most just Declarations, and to take downe Our Standard, set up for Our necessary defence, so their unjustifiable Declarations might be likewise recalled: their Answer follows, as you shall find it in the same folio 586.

They will not beleeve We have done all that in Us lyes to prevent and remove the present Distractions, because of the oppressions, Rapines, and the like committed upon Our good Subjects by our Souldiers. Let them remember who have compelled Us, and against Our Soules desire forced Us to raise those Souldiers, and then if the Oppressions and Rapines were indeed such as are falsely pretended, Our poore Subjects who suffer under them, will looke on them, and only on them, as the Authors of all the miseries they doe or can undergoe. We confesse with griefe of heart some disorders have, and many more may befall Our good People by Our Souldiers, but Wee appeale to all those Countreys through which We have passed, what care We have taken to prevent, and what Justice We dayly inflict upon such Offendours: neither hath the least complaint been ever made to Vs of violences and outrages, which We have not to Our utmost Power repayed or punished; how ever those false and treasonable Pamphlets are suffered which accuse Vs of giving warrant for plundering of Houses. Our Mercy and Lenity is so well knowne to the contrary, that it is usually made an excuse by those who against their Consciences assist this Rebellion against Vs, that they chuse rather to offend Vs upon the Confidence of Pardon, then provoke those Malignant Persons who without Charity or Compassion destroy all who concur not with them in faction and opinion. How farr We are from Rapine and Oppression may appear by Our Lenity to the Person, and Estates of those who have not only exercised the *Militia* (the seed from whence this Rebellion against Vs hath growne) but contributed Money and Plate to the maintenance of that Army which now indeavours to destroy Vs, as of *Nottingham*, *Leicester*, and many other places through which We have passed, many of whom then were and now are in that Army: to let passe Our passing by *Charly* (the house of the Earle of *Essex*) without other pressures then as if he were the Generall of Our owne Army, and Our expresse Orders to restrain the *Liberty*, Our Souldiers would otherwise have used upon that place, and his Estate about it. How contrary the proceedings are of these

great Assertors of the publick Liberties , appears fully by the sad instances they every day give in the plundering by publick warrant, the houses of al such whole Duty, Conscience, and Loyalty hath engaged them in Our Quarrell, which every good man ought to make his own. By their declaring all persons to be out of the protection of Parliament (and so exposing them to the fury of their Souldiers) who will not assist this Rebellion against Vs, their anointed King, by the daily out-rages committed in *Torkeshire* , when contrary to the desire and agreement of that County (signed under the hands of both parties) they will not suffer the Peace to be kept, but that the Distractions and Confusion may be universall over the whole Kingdome, direct their Governour of *Hull* to make war upon Our good Subjects in that County, and so continue the robbing and plundering the Houses of all such who concur not with them in this Rebellion. Lastly, by the barbarous, sacrilegious Inhumanity exercised by their Souldiers in Churches, as in *Canterbury*, *Worcester*, *Oxford*, and other places, where they committed such un-heard of Out-rages , as Jews , and Atheists , never practised before. God in his good time will make them examples of his vengeance.

We never did, nor ever shall desire to secure the Authours and Instruments of any mischiefs to the Kingdom from the Justice of Parliament, We desire all such persons may be speedily brought to condigne punishment by that Rule which is, or ought to be, the Rule of all punishment, the known Law of the Land : If there have seemed to be any interruption in proceedings of this nature, it must be remembred, how long persons have been kept under generall Accusations, without triall, though earnestly desired, that the Members who were properly to judge such Accusations have by violence bin driven thence, or could not with honour and safety be present at such debates, that notorious Delinquents by the knowne Laws were protected against Us from the Justice of the Kingdom, and such called Delinquents, who committing no Offence against any known Law were so voted only for doing their Duties to Us , and then there will be no cause of complaint found against Us.

And for the Priviledges of Parliament We have said so much and upon such Reasons , (which have never bin answered but by bare positive Assertions) in Our severall Declarations, that We may well, and do still use the same expression, That We desire God may so deal with Us and Our Posterity, as We desire the preservation of the just Rights of Parliament ; The violation whereof in truth by these desperate persons is so cleerly known to all men who understand the Priviledges of Parliament , that their rage and malice hath not bin greater to Our person and Government then to the Liberty, Priviledge , and very being of Parliaments, witnesse their putting in, putting out, and suspending what persons they please, as they like or dislike their opinions, their bringing downe the Tumults to assault the Members, and awe the Parliament, their posting and
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prosecuting ſuch Members of either Houſe as concurred not with them in their Deſignes, and ſo driving them from thence for the ſafety of their lives, their denying Us, againſt the knowne, eſtabliſhed Law, and the Conſtitution of the Kingdom, to have a negative voice, without which no Parliament can conſiſt, their making cloſe Committees, from whence the Members of the Houſes are exempted, againſt the Liberty of Parliament, and laſtly, reſolving both Houſes into a cloſe Committee, of ſeventeen perſons who undertake and direct all the preſent Outrages, and the managery of this Rebellion againſt Us, in the abſence of four parts of five of both Houſes, and without the privity of thoſe who ſtay there, which is not only contrary but deſtructive to Parliaments themſelves. By theſe groſſe, unheard of Invaſions and breaches of the Priviledges of Parliament, (and without them they could not have done the other) They made way for their attempts up on the Law of the Land, & the introduction of that unlimited, Arbitrary power which they have ſince exerciſed to the intolerable damage and confuſion of the whole Kingdome, And We aſſure Our good Subjects, the vindication of theſe juſt Liberties and Priviledges of Parliament, thus violated by theſe men, is not leſſe the Argument of Our preſent quarrell and undertaking, then Our own Honour, Inter-eſt, and Safety, thoſe being no way ſo ſecurely to be preſerved, as by preſerving Parliaments and their juſt Priviledges. Neither is there any Proteſtation to Our knowledge publiſhed in Our name of Our tenderneſſe of the miſeries of *Ireland*, and Our Reſolution to mayntain the Proteſtant Religion, and Laws of this Kingdom, that is not the Proteſtation of Our Soule, and manifeſted in all Our Actions, and Wee hope that falſe Scandall, That divers of the *Irish* Traitors and Rebels, the knowne favourers of them, and Agents for them are admitted to Our preſence with favour and imployed in Our ſervice, will gain no credit with good men, who remember well the notorious imputation ſo confidently and groundleſſy heretofore caſt on Us by Maſter *Pym*, of which as there could never be the leaſt proof, ſo We could never receive any ſatisfaction for that high injury, which might have bin a warning to them to have publiſhed no more ſuch untruths, if they had not found that truth and their Ends cannot meet together.

For the Horſes taken for Our Service, which were provided for the ſervice of *Ireland*, 'tis true, Wee were compelled for the bringing Our owne Wag-gons from *Cheſter* for the carriage of Our Munition to make uſe of them, being few in number and of ſmall value, after they were certified to be of no uſe for the ſervice, for which they were provided. And for the Clothes, upon enquiry, We finde that ſome few were taken by Our Souldiers (but without any Order from Us) going to *Coventry*, and as was probably believed for the relief of that place, then in a ſmall Rebellion againſt Us, but how far We have been, and are from diverting any of thoſe proviſions made for the relief of that poore King-dome.

dome (the thought of whose miserable condition makes Our heart bleed) may appear by Our expresse Command given for the speedy transportation of three thousand suits of Clothes which Wee found provided at *Chester*, but neglected to be sent, and which no necessity of our own Army here could prevail with Us to seize. And how bold soever the reproches of that kind have bin upon Us, We are confident malice it selfe cannot lay the least probable imputation upon Us, for the neglect of Our duty towards that Kingdome. What one thing in Our power have We neglected or omitted, which might contribute to the assistance, or ease of Our poore Protestant Subjects there? We first recommended the case of that businesse to both Our Houses of Parliament. Wee consented to all Propositions made on the behalf, offered to raise ten thousand Voluntiers, (which if then accepted had shortned that work) offered to venture Our own person in the service, what interpretation that offer of Ours found, is known to all the world : Wee parted with Our interest in the Land of the Rebels, to encourage such who were willing to adventure in that busines, & when Mony is raised by Our consent for that sole purpose, they have at once seized on a hundred thousand pound particularly appointed by Act of Parliament for the relief of *Ireland*, (Our Army being ready to perish for want of it) and employed it to mayntain this unnaturall civill War at home. They have leavied men and entertained Commanders for that service, and then compelled them to joyn in this Rebellion, and to march against Us, and though they have complained of Our keeping the Lieutenant of *Ireland* some weeks with Us, (when in truth it was a season of extraordinary businesse,) after wee had in vain for many moneths pressed his dispatch, yet themselves now detain him, when his going is so necessary for the preservation of that Kingdom, And no doubt these men (and these alone) by begetting this miserable distraction of *England* are guilty before God and Man of all the insupportable calamities that Our Kingdom of *Ireland* endures. Let all the World judge where the desire of Peace is, and upon whose account the blood and confusion which hath bin shed and must follow, shall be cast, And whether the severall Proclamations and Declarations published by Us, have not bin extorted from Us, by such un-heard of insolencies and injuries, which no former times ever produced, neither can any sober man wonder, when Wee are publicly reproached, traduced, and reviled to Our people (a practice never known till this Parliament) that Wee endeavour by a true Relation and Declaration of Our Actions and Intentions, and of their Conspiracies, who have vowed Our destruction, to informe Our good Subjects of the cunning and malice they are to encounter with ; and when a Combination is entred into to destroy Vs, and to alter the Religion and Law of the Kingdome, and to that purpose an Army raised and marching against Vs, that Wee proclaime the Generall of that Army and such who shall assist him in leavying a War against Vs,

to be traitours, and have set up Our Royall Standard, and required all Our good Subjects to come to Our defence. And yet both in that Proclamation and in all Our Declarations We have never accused Our Parliament, but such factious, seditious Members of both Houses whom We have named, and whom We are ready to prove according to the Rules of the known Law to be guilty of high Treason. Wee well know, and all the Kingdome knows that of neere five hundred Members, which the House of Commons contains, there remainys not now there a hundred, neither hath above such a number consented almost to any thing of which We have ever complained, the rest have either bin driven away by Tumults and Threats of the persons whom We have accused, or out of conscience withdrawn themselves from their desperate consultations, and of about a hundred Peeres of the Realme, there are not above fifteene or sixteen who concur in these miserable Resolutions, which disturbe the publick peace, many of which being of desperate fortunes, have no other support, then the Commands now given them to make War upon Vs, and now these men must sit upon the Lives and Fortunes of all the Nobility, Gentry, and Commons of *England*, and because We will not put Our Self into the hands, Government, and disposall of them, all Our good Subjects are invited and encouraged to Rebell against Vs, yet Wee have been, and are still far from accusing all that small number of both Houses who are yet left together, Wee believe many of them are misled by the cunning and malice, and frighted by the power of those men whom We have accused, against every one of whom We have Evidence of matter of fact that the known Law of the Land determines to be high Treason.

And now that all Our good Subjects may see how desirous these men and their Adherents are to prevent the effusion of blood, and the lasting miseries of a Civill VVar, they will make themselves so considerable, that except VVe will recall Our Proclamations and Declarations whereby particular men named for particular Actions (which the Law hath defined to be Treason) are so accused, and others warned from involving themselves in their guilt, & except VVe will take down Our *Standard* that Our good Subjects may not repaire to Vs for Our defence, when so many Armies are raised against Vs in severall parts of the Kingdom, and ready to destroy Vs, and such of Our good Subjects, who dare continue loyall to Vs, and except VVe will return to *London*, from whence with violence VVe have bin driven, VVe must not be treated with, or receive any Answer to so gracious a Message.

It can no longer be doubted by any man, who hath not wilfully forsaken his understanding, that it is no more a quarrell undertaken by the Parliament, but contrived and fomented by the persons VVe have named, and now continued solely in their defence, to whose Ambition, Faction, and Malice, the true Re-

formed Protestant Religion, the just Right, Honour, Safety, and life of Vs and Our Posterity, the Law of the Land, which hath so long preserved this Nation happy, the Liberty of the Subject established by that Law, & the glorious frame and constitution of this Kingdom must be sacrificed. But as Wee have hitherto left no Action unperformed, which in Honour, Justice, and Conscience VVee were obliged to doe, or in Christian Policy and Prudence VVee could conceive might probably prevent these Calamities, so we thank God he hath given Vs a full Courage and Resolution to run the utmost hazard of Our life for the suppression of this horrible Rebellion, in the which no disproportion of Power, Armes, or Money shall discourage Vs; And we hope that all Our good Subjects besides, by the common duty of Allegiance, will be stirred up for their own sakes, for the preservation of the blessed Protestant Religion, and for the upholding this whole admirable frame of Government which being dissolved, all their private and particular Rights and Interest must be immediately confounded, to bring in their utmost power and assistance unto Vs in this desperate exigent. And we do declare that whosoever shall lose his life in this Service for Our defence, the VVardship of his Heire shall be granted by Vs without Rent or Fine to his own use, and wee shall hold Our Selfe obliged to take all possible care for the support, relief, and protection of all their VVives and Children, who shall have the hard fortune to die in this Service.

FINIS.

His Majesties Speech to the Gentlemen, Clergy, Free-holders, and Inhabitants of the Countie of Oxon, at Oxford the second day of November, 1642.

Gentlemen,

THough you see my Army marching from hence, I do not intend to leave you, My Residence shall be so neer that My power shall have an influence upon this place (of which I will besides take a particular care) for your protection, therefore feare not to expresse your affections to Me with that courage which becomes you, I know how, and by whom this Country hath bin awed, but I hope no man shall have more Power to fright you from your Loyalty, then I have to restore you to it, and I shall guesse by the Evidence of this day at your naturall dispositions. In assisting Mee, you defend your selves, for believe it the Sword which is now drawne against Me, will destroy you, if I defend you not. I have, and will venture my life for you, 'twill be a shame for you to venture nothing. VVhatsoever you shall be willing freely to contribute, I will take kindly of you, and whatsoever you shall
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lend Me, I will in the word of a King, see justly repayed to you.

I appoint the Sheriffe to receive such Money or Plate as you (Gentlemen) shall be willing to assist me with, and to returne their names to Me; and you of the Clergy shall repaire to Mr Vice-Chancellour who shall doe the like, and I expect that you should advance this Service throughout the Country, and returne your Collections suddainly to me by the hand of the Sheriffe. And I assure you I shall take especiall notice of such who shall be backward in this time of so visible necessity.

By the King.

A Proclamation for the Free and safe Passage of all Persons, who shall desire to repaire to His Majestie, and of all Packets, and Letters sent by His Majesties Ministers.

VV Hereas severall Persons in severall parts of Our Kingdome have presumed by vertue and under Colour of an Order of One or both Our Houses of Parliament, to intercept and imprison such Persons who were repairing to Us, or going from Us, in Our service, And to seize and by violence to take Letters and Packets sent by Our Secretaries concerning Our important Affaires, and have carryed the same to some Persons who have opened and read the same, to the unspeakable preiudice of Our service, and unheard of scoyne of Our Authority. We doe hereby publish and declare, That whosoever shall henceforward presume to stop or hinder any Person comming to Us, or going in Our service, or shall seize or take any Packet or Letters sent by either of Our Secretaries into any part of Our Dominions, whereby the Commerce and Correspondence of the Kingdome may be disturbed, and Our own immediate service suffer, every such person and persons so offending shall be taken as an Enemy to Our Person and the publick Peace, and We shall with all speed and severity proceed against him and them for his malice and disaffection. And hereof We require all Mayors, Sheriffes, Justices of the Peace, Bailiffes, Constables, Postmasters, and all other whom it may concerne to take notice at their uttermost perills.

Given at Our Court at Oxford, this first day of November, in the Eighteenth year of Our Reigne.

God save the King,

A Remonstrance of the Lords and Commons Assembled in Parliament, or the Reply of both Houses, to a Printed Booke under His Majesties name, called His Majesties Answer to a printed Booke Entituled, A Remonstrance, or the Declaration of the Lords and Commons now assembled in Parliament the 26. of May 1642, in answer to a Declaration under His Majesties name, concerning the businesse of Hull.

To the Reader.

YOU will wonder (it may be) that this Reply to the Declaration under his Majesties name, intituled, *An Answer to the Declaration or Remonstrance of the Lords and Commons in Parliament of the 26. of May 1642.* comes forth no sooner, and yet comes forth now so long after the said answer; That it comes forth no sooner, is not for that it was no looner ready, but having passed the Houle of Commons divers Moneths since, the waighty and urgent affaires of the Kingdom did not afford an opportunity for reading of it in the Lords Houle before. That it comes forth now, is to free aswel both Houses of Parliament from those calumnies, scandals, and fallie imputations, which by the contriver of the Answer are cast upon them, as to vindicate the Parliaments just priviledges, and the Kingdomes Rights, and Liberties, all which you will find so clearly done in the ensuing Treatise, as I doubt not but will give ample satisfaction to every impartiall Reader.

A Declaration of the Lords and Commons assembled in Parliament.

WHosoever lookes over the late Declaration under his Majesties name carrying the title of an Answer to our Remonstrance concerning the businesse of Hull, will find that it is as farre from being an answer therunto, as it is full of groundlesse and unheard off scandals and imputations upon both Houses of Parliament, which wee hold as necessary to wipe off from us, as wee should otherwise have thought it needlesse to have made any reply; And because the nature and language of that Declaration is such and so full of scandal to both Houses of Parliament; Wee are constrained to shape our Answer more proportionably to the true Authors and framers of that Declaration than to the name it beareth, and as his Majesty cannot be imagined to be the framer and Penner of Declarations of that length and nature, so wee profess from our hearts that wee would be understood onely to speake of the Contrivers and Penners of that Declaration, and of the evill Counsellours about his Majestie so often as wee mention any of their wicked designs against this and all Parliaments, and in them against our Religion, Lawes, and Liberties, and their odious

dious and most unjust slanders and calumnies upon the Parliament, which wee will take in order as they are layd against us, in that Declaration.

The first that is raised upon us is, *That wee promise much to his Majesty and performe little; say we will make him great, honourable, and rich, and doe the contrary.* This is a scandall that hath beene often cast upon the Parliament, and as often answered. We have wholly in a manner supported his Majesties publick charges, both by Sea and Land, both in England and Ireland, and have borne also a great proportion of his private expences out of the publick stocke, and all this while wee have not diminished one penny of his just Revenue, which either his Majesty or any of his Ancestors could justly claime, but the evill Counsellors about his Majesty have beene the true cause that we have not beene able to compass in that measure that we desire, our earnest and most sincere endeavours and intentions of honour, greatnesse, and plenty unto his Majesty, suitable to our expressions. And wee cannot expect till the drosse be removed from the silver, and the wicked from about the Throne that it will ever shine in its proper and native lustre, which shall alwayes be our hearty prayer, and earnest endeavour: hat it may. In like manner for the *plaine English, wherein we are said to tell the King. That wee can doe him no wrong, because he is not capable of receiving any, and that we have taken nothing from him, because he never had any thing of his own to lose;* In what part of that Declaration is this told? the King in plaine English or by any good inference? unlesse it must needs follow, that because the King hath not a right of property in the Townes, Forts, Subjects publick Treasure and Offices of the Kingdome, nor in the Kingdome it selfe to dispose of at his pleasure and for his owne private advantage, but onely a trust for the common good of himselfe and his Subjects (as it is most cleare he hath them no otherwise) that therefore he cannot have a property in any of his Lands or goods as Subjects have in theirs, and yet it is a truth that the more publicke any person is, the more interest the publick hath even in those things that belong to him as a private man, in which regard the King hath not the like liberty in disposing of his owne person, or of the persons of his Children (in respect of the interest the Kingdome hath in them) as a private man may have.

The truth of that Digression (whereof there was no occasion given in our Declaration) concerning words supposed to be spoken (which in truth were not) by some Gentlemen, and by the Contrivers and penners of that Declaration, insinuated to have been allowed by either House of Parliament, had been more seasonably examined by his Majestie (if he would have taken notice at all of any thing spoken in Parliament) before he had suffered it to be published under his name, and we might justly complaine of a most high and cleare breach of priviledge of Parliament therein well known, and often remonstrated.

ted unto his Majestie himselſe, that his Majestie ſhould take notice of any thing ſpoken in Parliament, and not ſo onely, but alſo threaten a further examination, and inquirie into it, after ſatisfaction or cenſure given thereupon by that Houſe wherein it was ſpoken, and out of the walls whereof it cannot be judged without their conſent. But ſure we have forfeited all freedome and priviledge of Parliament (for of late none will be afforded us) and why? We are no Parliament, it is arrogancie in the two Houſes of Parliament, to call themſelves the Parliament, and in the major part of both Houſes to call themſelves both Houſes. And why muſt the two Houſes relinquish the title of the Parliament as anciently belonging to them, as the King and his Parliament had a being, and as uſually ſo taken in Statutes, and in common ſpeech as the King and his Counſell? And the King himſelfe till very lately hath continually ſo uſed it in his Meſſages and Declarations, but now ſince it was reſolved to uſe ſuch language to both Houſes as to tearm them *Hypocrites and a faction of Schismaticall, Malignant and ambitious Perſons* and the like, that is applyed in that, and the late Declarations unto them, and ſince there was an intention to follow ſuch words, which no Engliſh eare could ever endure to heare of a Parliament, with ſuch Indignities and acts of violence and force, as no Engliſh heart could ever ſuffer ſhould be offered to a Parliament, it was thought fit to diſſolve the name of Parliament, before they deſtroy the being of it: And why muſt not the major part of both Houſes preſent (according to the conſtant praſtiſe of all times) be the two Houſes of Parliament and how are both Houſes of Parliament become a Faction, a thing never heard of before, and not eaſie to underſtand how it can be, and why a Faction? Becauſe they will not do, or leave undone whatſoever thoſe new comptrolers of a Parliament, the Malignant party about his Majestie ſuggeſt to the King as fit to be done, or not to be done, and that is according to, or contrary unto his prerogative; who doth not ſee that this new Doctrin muſt needs call in queſtion, and put all Laws made, or to be made, (either for the advantage of King or people) into an unavoydable and irreſtemiable uncertainty, if the major part of both Houſes preſent, ſhall not be eſteemed both Houſes? And if both Houſes ſhall at the pleaſure of the Prince be called and accounted a Faction. *But this Malignant Faction the two Houſes of Parliament have, and alwayes had a deſigne to alter the whole frame of Government both of Church and State.* How doth that appeare, and out of what evidence doth it ariſe? *A full narration of that ſhall be made hereafter:* What juſtice, what conſcience is there in that, to deſame in ſo high a degree (as a higher cannot be imagined) not private perſons, but a Parliament throughout the whole Kingdome, upon a narration to be made hereafter which they hope will be ſatisfactory? And when ſhall this narration bee made? when they have force enough to make men ſee cauſe to judge it ſatisfactory; Or if that faile, they

they may happily see as good cause to relinquish the accusation as they first saw cause, (which no man else saw or beleevd) for to make it, and by this time (we doubt not) but every man doth plainly discern through the mask and vizard of their hypocrisie, what their designe is, to subject both King, Parliament and Kingdome, to their needy, avaritious and ambitious spirits, and to the violent Laws, Marshal Law of governing the people by guard, and by the souldiers. The contrivers and penners of that Declaration will needs make the world beleeve, (for they care not what they affirme, knowing that their Declarations are, and will be spread with more diligence then the answers of the Parliament are) *(that we have spent our time since the recess only in Declarations, Remonstrances, and Invectives against his Majesty and his government, or in preparing matter for them)* was the Bill for taking the Bishops votes out of the Lords House (so much desired by the whole Kingdome, and so much for the good thereof) were the severall Bills for the defence of the Seas nothing but Declarations and Invectives against the King and his Government? have the preparations of the Bills against scandalous Ministers, for the taking away of pluralities, against Innovations and Superstitions in Religion, for the calling of an Assembly of Divines for the better settling of the matters in Religion (most of which have passed both Houses, and want nothing but the Royall assent) been onely preparations for matter of Declaration and invectives against his Majesty and his government? have the many Bills for the supplies and reliefe of *Ireland*; have all our endeavours for the redemption of our Religion, and Nation out of the bloody hands of the Popish Rebels in that Kingdome (which God hath been pleased to honour with good successe, and the current whereof is so much endeavoured to be interrupted by the malignant spirit of division amongst us) been only Declarations and invectives against the King and his government? are the preparations for moneys and other necessities for *Ireland* both heretofore, and at this present (wherein never any Parliament tooke that paines, and engaged their owne particular persons and estates at any time, or in any case as this Parliament hath done, and without which the rebels in *Ireland* might have bin our Masters there, and our mates in this Kingdome) are all these preparations only preparations of matter for Declarations and invectives against his Majesty and his government? Wee might have expected such a construction of our Actions from the Rebels in *Ireland*, but not in a Declaration published in his Majesties name. And if his Majestie did not invite us to any expence of time in Declarations, by beginning Arguments of that nature, yet the evil Councillours about his Majestie, and their wicked instruments dispersed throughout the whole Kingdome, informed us to prepare Antidotes against the poyson which they had infused into the people against the Parliament: and the proceedings thereof,

and for the printing and publishing of our Declarations , Votes and Petitions, all this doth not make up an Evidence of an Appeal to the people: cannot we publish our proceedings for the satisfaction of them by whom and for whom we are trusted, in those things wherein they are so much concerned, and whereof they have of late bin so much and so maliciously mis-informed , but it must needs be an Appeale unto them as Judges ? Doe they not rather Appeale unto them as Judges, who decline the highest Court of Judicature within this Kingdome, and having recourse to the people , arraigne and condemne before them the judgments and Resolutions of that Court from whence there can be no Appeal but by dissolving of the whole frame and constitution of the Civill policy and government of this Kingdome into the originall Law of nature? in which naturall capacity (since it must be so) in Gods Name, let the people judge every man within his own breast of the persons that they have trusted, and of the persons that they have not trusted, which are those of the counterfeit imaginary great Counsell of Peers at *Yorke* , together with their guard of Cavaliers, and let them consider with themselves whether they have so much cause to mistrust the great Councell of the Kingdom , which they never yet knew to have brought in, or to have endeavoured to bring in an Arbitrary Government, but often to have bin the remedy thereof, or a few evill Countsellours about his Majesty whom by frequent and late experience there, have known to have endeavoured it, and also to have done it.

We call God to witnesse, that though our quarrell be against the Malignant party for his Majesties sake, yet not in that sence as is here affirmed , but out of our loyalty and hearty affection to his Majesty , and our Expressions against that party is, to give his Majesty a lively sence of the damage, danger, and dishonour that his Majesty sustaineth by their counsels and suggestions. *But there is no malignant party about his Majesty, we name them not , wee prove them not to be evill Countsellours.* And how do the framers of that Declaration prove, or by what of our proceedings is it evident ? That by the malignant party *wee intend all the members of both Houses who agree not with us in opinion, and all the persons of the Kingdom who like not of our Actions.* By what Declaration or vote of either, or both Houses was that distinction made of *good and bad Lords* , or by what allowance or countenance of both or either House *were any proscribed and their names listed and read in Tumults* ? Although it is possible that some Members of one or both Houses, may discover such a constant Bias from publick interestes to their private ends, that they may heare ill abroad for it, which the Houses of Parliament cannot helpe , nor are bound to hinder. As for those persons *whose transcendent vertues* (so largely here described) *brought them to his Majesties knowledge and favour*, as we must professe that the two Houses of Parliament (which are the Eyes of the body politick of his Kingdom) cannot discern

many

many such in favour with his Majesty, so wee are sure nothing that ever wee have said or done, can give any ground for any man to collect that we intended to brand any persons with the name of Malignants for such counsels and actions as those; but if any mans conscience hath brought that home to himselfe which our Declaration did not, who formerly might seeme forward for Religion and publick interestes, and since hath been an instrument in division between his Majesty and his great Counsell the Parliament; We shall not think he is lesse Malignant or more worthy of his Majesties knowledge and favour because he is an Apostate; *but the counsels shall try the Counsellours*, that is the Tryall we put them upon. *It is said, That it is no ill counsell for the King to withdraw himselfe so far, and so long from the Parliament; because at London, He and many whose affections were eminent towards him, were in danger every day to be torn in pieces, and at York, his Majesty, and all such as will there put themselves under his protection, may live securely, and thus through the affection and loyalty of that good people.*

The complaint of Tumults so often urged, and so often answered by us hath served for many ends, and most of them tending to the dissolution of this Parliament. But what was the danger his Majesty was in, and those whose affections were eminent to him? to be torn in pieces: and how have all they escaped that stayed here till some few dayes since, and those that stay here still, and yet would be very ill pleased if it should be thought their affections were not eminent towards his Majesty? It is said, *That his Majesty and those that were best affected to him were in danger of being torn in pieces*, but they by whom it is supposed it should be done were in truth torn in pieces, and mangled in a most cruell and barbarous way by a company of Souldiers and other rude persons, who were harboured in his Majesties own house, and that act of theirs connived if not countenanced by his Majesty himselfe, when complaint was made thereof unto him.

And now it appears cleerly who were the Authours and occasions of those Tumults and Disorders (never in the least degree countenanced or connived at by both or either Houses of Parliament) whatsoever is most untruly spread abroad to the contrary; they were the Souldiers, and other ill-affected persons joyning with them who stirred them up here (where since their departure all is quiet) and have raised them since at *Yorke*, where the Gentlemen and Inhabitants of severall Counties addressing themselves to his Majesty in an humble way of Petition have bin affronted and assaulted, and the Messengers from the Parliament abused & beaten. In a word shal the coming down of a company of Boyes and Prentises, two or three times in the Holydayes, and making great noyse against Bishops (for which they were well beaten) be esteemed a just and a perpetuall ground for this Majesty and other Members of Parliament to absent themselves from the Parliament? shall not the present

quiet face of this City, shall not the frequent Protestations of both Houses of Parliament for his Majesties security to the uttermost power that the Law can give to them, or they unto the Law? shall not the forwardnesse of both Houses in appointing a Committee for his Majesties satisfaction to inquire into all disorders of that kind, and to heare what the Kings Counsell would inform concerning them (who answered they had as yet nothing to inform) be sufficient to take a way that pretence of danger to his Majesties person which no man can believe that will be faithfull to himself? But that we may take off the Vizard and clearly discover the true intent of his Majesties abode at *Yorke* (which is plainly enough expressed in this very place) if his Majesty be not so well satisfied with the City of *London*, is there never a County neer the Parliament, in whose Loyalty and Affection his Majesty may rest secure? Was his Majesty in danger to be torne in pieces when he was at *Hampton Court*? was his Majesty in danger whilst hee was in *Kent*? was his Majesty in danger when hee was at *Theobalds*, or at *Newmarket*? If *Yorke* be so secure a place for his Majesties person, and that through the affection and loyalty of that good people (as we doubt not but that it is secure enough without a guard) what need is there of such an extraordinary guard of horse and foot? The truth is that guard, and all the forces that are preparing to be added to it, and that place is to shelter all Delinquents who may come and put themselves under his Majesties protection there, and so be kept from the Justice of the highest Court, and serve to make up the number of those that must help by force to trample under-foot all the power and priviledges of the High Court of Parliament, in their Summons and Processes, and make void their Orders grounded on the fundamentall Laws of the Land, and necessary for the peace and preservation thereof: and therefore as we said, so we will say still, that they which counsell his Majesty to be at this distance in place from his Parliament, which can be to no other end, but the better to foment and increase the distance of affection between them, are evill Counsellours, and of the Malignant party. In the next place it is said, *That it is no evill Counsell for the King to forsake the Advice of his great Councell of Parliament, and to follow the advice of private men, contrary therunto, and that because we say we are above his Majesty, and by his own Authority, may doe with him what we please, and that we would dispose of the Subjects lives, and fortunes, by our Votes, contrary to the known Laws of the Land*: This is in plain English, as that we had bin told, that the King did not look upon us any longer as his great Councell, but as Conspirators against him, and the Kingdome, not as his Parliament, but as Traitours against him, and all his Subjects: It is not lawfull for the High Court of Parliament, to judge of the Kings Actions, and of his evill Counsellours, and of their Counsels: And shall it be lawfull for the King and his evill Counsellours to judge, arraign, and condemne a Parliament, which is the highest Court, which is the representative body of the whole Kingdom.

Did we say, *that the Kings Authority* (which all good Princes will, and his Majesty hath professed, that he ought to maintain with the Sacrifice of his life, *is above his person, and that his personall Commands ought not to contriroll those that proceed from his Authority, which resideth in his Courts, and his Laws, and in his Person, acting by the one, and according to the other: and are they good Counsellours that perswade the King to the contrary? Doe we dispose of all the Subjects lives and fortunes, by our own Votes, contrary to the Law of the Land, because we will not suffer the lives, fortunes, and honours of all the Subjects, to be at the Devotion, and to be disposed of by the Votes of evill Counsellours, and Cavaliers, contrary to the Votes of both Houses of Parliaments. Doe we dispose of the lives and fortunes of all the Kings good Subjects, contrary to the known Law of the Land, because we will not admit that to be the known Law of the Land, which those men have declared to be so, contrary to the judgment of both Houses of Parliament, of whom all the Judges of England once said, they were not to be Judges of them, who were Judges of the Law? As we said before, so we say still, and it stands good, that they which draw away his Majesties person and affection from his Parliament, they that would subject the counsels and determinations of the greatest Court, and highest Councell, to the opinions of private men, they that will make the Law their Rule by their private interpretations against the judgment of the highest Court, that is the competent Judge thereof, and they that to make all this good, are preparing force to destroy, first the power and priviledges, and then the persons of both Houses of Parliament, are ill Counsellours, and of the malignant party: and if they are so confident that these are good Counsels, why are they ashamed or afraid to own them? let them discover their names, and we doubt not but the Law will finde a name for their fact, and a punishment for their fault: But hee is pronounced accursed that harbours in his heart a thought against the publick liberty and religion of this Kingdom, or the iust freedome and priviledge of Parliament: Let then the King and his Throne be guiltlesse; it is our desire, it is our prayer, but accursed be they that wickedly and maliciously advise his Majesty to ways of force against his Parliament, which is the bond and assurance of the publick liberty, and profession of the true Religion within this Kingdom, and let all the people say *Amen*. And we wish that the people may not have cause to curse them also (whom we pray God to forgive) that after so many good Laws to take away Ship-money, Coat and Conduct Money, and to free our persons from pressing, imprisoning, and being disposed of at pleasure, have advised his Majesty at one blow to destroy all these Laws, and revive all those grievances, by setting on foot an old antiquated illegall Commission of *Array* (which never was but temporary,) and to protect and defend those, that in a warlike manner, with Banners displayed, have attempted to put it in execution, and rescued themselves from the justice of Parliament.*

And them that have advised his Majesty, having withdrawn himself so long and so far from his Parliament, to command also away the Members of both Houses upon their Allegiance, and after to lay an imputation of weaknesse upon the Parliament, in respect of the absence of their Members, and of wickednesse, as if those Members had withdrawn themselves out of horror of the proceedings of both Houses of Parliament, or had bin by fraud and violence driven from their Counsels, and them that have advised his Majesty to send for the Lord Keeper away, with the great Seale, whose attendance with the Seale upon the Parliament, is so necessary in many particulars, and under colour of Proclamations under the great Seal, and otherwise by Declarations and Messiges, to contradict the just and necessary Resolutions of the highest Court within this Kingdome, which is the Parliament, and to cast insufferable and heretofore unheard of Scandals and Calumnies upon their persons and proceedings: And they that have counselled his Majesty to forbid the Summons of Parliament to be obeyed, which reduceth the knowne and undoubted power and privilege of the highest Court of Justice to nothing, yea, to scorne and contempt (which is worse than nothing) and then that perswaded his Majesty to protect Delinquents from the Justice of Parliament, and to countenance the abusing and beating of Messengers, sent from both or either House of Parliament, and rescuing out of their hands a Delinquent, and that a known Recusant, (which was the case of *Beckwith*) and that amongst other things, for secretly plotting and conspiring by practice with some of the Officers of the Garrison of *Hull*, to possesse himself of that Town and Fort (by which example, the World may see what kind of people they are, that are most active to get that Towne out of the hands whereunto both Houses of Parliament have intrusted it.) Wee say we could wish, that all such as have counselled his Majesty to so frequent, so evident, so high breaches of privileges of Parliament, could truly say they had never harboured a thought against the just freedom and privilege of Parliament, and we pray God to forgive them for it.

For that concerning our inclination to be Slaves, it is affirmed, *That his Majesty said nothing which might imply any such inclination in us*: but sure, whatever be our inclination, slavery would be our condition, if we should go about to overthrow the Laws of the Land, and the propriety of every mans estate, and the liberty of his person. For therein we must needs be as much Patients as Agents, and must every one in his turn suffer our selves, whatever we should impose upon others; as in nothing we have laid upon others, we have ever refused to do or suffer our selves, and that in a high proportion. But there is a strong and vehement presumption, That we affect to be Tyrants; and what is that? Because we will not admit no rule to govern by, but our own wils: and what presumption either strong or weak, is there for that? Certainly, the presumption

tion is stronger and more vehement, that they will admit no other rule to govern by, but their own wils; that will not admit the Rule to be their Guide in any other sense then they themselves please to understand it, against the judgment of the competent Judges thereof, which is the High Court of Parliament. And as the misery of *Athens* was at the highest, when it suffered under thirty Tyrants; so will the misery of *England* be at the highest, when it shall be at the devotion of three hundred Cavaliers, and protected against the Parliament by the Souldiery.

Wee shall never refuse to acknowledge the Acts of Grace and favour received from his Majesty, when there is occasion so to do: but wee must confesse, we did not think that the season nor the place to doe it in, when wee were to Vindicate both Houses of Parliament from a horrid and causlesse imputation of countenancing Treason by an Order of Parliament, by whose Advice and meanes it is well known those Acts were all obtained and procured.

And for the insolencies and injuries wherewith we are charged: If the Designe of bringing up the Army to awe the Parliament, carried on in severall ways, and more then once repeated (for which, there are not onely bare Votes, but Depositions upon Oath :) if the accusation of the Members of Parliament without Witnesse, and without any Cause shown to this day: If that unparalleled Act of his Majesties comming to the House of Commons, to take away the Members thereof by violence out of that House, which should be as free from Apprehensions of Force, as from Imputations of Faction; If vile Slanders and horrid Crimes, charged upon both Houses of Parliament, together with the unpresidented breaches of priviledge of Parliament (before specified) tending to the destruction of the very being of Parliaments, have bin things done to us this Parliament. And if we did put it in issue, whether any such thing had bin done by any of his Majesties Predecessours as had bin done (wee did not say by his Majesty) to us this Parliament, and that no such thing nor any thing neer it, hath bin alleaged; where is the Injuries? where is the Insolencies? But most injuriously, most maliciously it is affirmed by the Contrivers of this Answer, *That we told the King, that we might without want of modesty and duty depose him.* Did we so much as once name that word, the signification whereof we professed, that we did not suffer so much as to enter into our thoughts? Did we say, that with duty and modesty we might depose the King, because we said we never suffered it to enter into our thoughts? Or do not they rather say it, that will needs make Presidents to be Rules and Patterns? Sure, when we said, *That some Presidents were such, as that they ought not to be Rules for us to follow,* wee might by any ingenious Reader, with much more probability, bin thought to have intended those of deposing Kings, then to have said, that with duty and modesty Kings might be deposed; because we affirmed that we had not suffered such things to enter into our thoughts. Whosoever reads that Clause of our De-

claration, will see cleerly, that our Discourse tendeth to this onely, That as, there vvas little Reason to binde us up to Presidents, because some were not good, and all might fall short of the present case and occasion; so there was little Reason, if we should make all Presidents patternes to upbraid us, as impudent and disloyall, in comparison of former Parliaments, when all the world knoweth they had done more then we would suffer our selves to entertain into our thoughts.

And now we leave it to every man to judge, with what candor our words and Actions are represented to the view of his Majesty and of the Kingdome; and whether, in stead of answering of our Reasons, it hath not bin the principall ayne of the Contrivers of that, and other late Declarations, by any means (how unjust, how untrue soever) to render the Parliament odious to simple people, vvho they hope will never examine the truth and grounds of what is said, and to vvhom they cause their Declarations to be read so carefully in the Churches.

And although they would perswade his Majesty, That there is little confidence to be placed in our modesty and duty; yet, as God is vvittnesse of our thoughts, so shall our Actions vvittnesse to all the World, that to the honour of our Religion, and of those that are most zealous in it (so much stricken at by the Contrivers of that Declaration under odious names) vve shall suffer more from and for our Sovereigne, then vvee hope God vvill ever permit the malice of vvicked Counsellours to put us to, and though the happinesse of this and all Kingdoms. dependeth chiefly upon God, yet vvee acknowvledge that it doth so mainly depend upon his Majesty and the Royall branches of that Root, That as vve have heretofore, so vve shall hereafter esteeme no hazard too great no reproch too vile, but that vve shall vvillingly goe through the one, and undergo the other. That vve and the vvhole Kingdome may enjoy that happinesse, vvhich we cannot in an ordinary way of providence expect from any other Fountaine or Streams, then those from whence (were the poyson of evill Counsels once removed from about them) we doubt not, but we and the whole Kingdom should be satisfied most abundantly.

We doe still acknowledge, that it were a very great crime in us, if we had or should do any thing whereby the Title and Interest of all the Subjects to their Lands were destroyed. But doe we destroy his Majesties, or any mans propriety, because we say the Parliament may dispose of such things wherein they have a right (suppose of propriety) in such a way as the Kingdome may not be indangered thereby?

But we call our selves the Parliament. And did not our Ancestours doe so in all times, since there were Parliaments? *But we challenge that power without his Majesties consent:* And did we not seek his Majesties consent? If his Majesty,

seduced by wicked Counsell, will not hearken to us in those things that are necessary, for the preservation of the Peace and safety of the Kingdom, shall we stand and looke on, whilst the Kingdom runs to evident ruine and destruction? But wee arrogate to our selves alone the judgment of this danger, this necessity, this common good of the Kingdome, and thereby unsettle the securitie of all mens Estates and expose them to an Arbitrary power of our own; And do not they doe the like and worse, that attribute the sole judgement of this danger, this necessity, to themselves (who are no Judges at all) against the judgement of the Representative Body of the whole kingdom, or at least to his Majesty alone, who out of his Courts is not Judge of the least damage, or trespassse done to the least of his Subjects?

There must be a Judge of that Question wherein the safety of the Kingdom depends (for it must not lye undermined) If then there be not an agreement between his Majestie and his Parliament, either his Majestie must be the Judge against his Parliament, or the Parliament without his Majestie; If his Majestie against his Parliament, why not as well of the necessity in the Question of making a Law without and against their consent, as of denying a Law against their desire and Advice? The Judge of the necessity in either case by like reason is Judge in both; Besides, if his Majestie in this difference of opinions should be Judge, hee should be Judge in his own case, but the Parliament should be Judges between his Majestie and the Kingdom, as they are in many, if not in all cases. And if his Majesty should be Judge he should be Judge out of his Courts and against his highest Court, which he never is, but the Parliament should onely judge without his Majesties personal consent, which is a Court of Judicature, it always doth, and all other Courts as well as it, if the King be for the Kingdom, and not the Kingdom for the King. And if the Kingdom best knows what is for its own good and preservation; and the Parliament be the Representative Body of the Kingdom, it is easie to judge who in this case should be the Judge; But it is not so easie to understand what is the danger of unsettling, by this means the security of all mens Estates; Is all this danger kept off us by his Majesties single vote? Are all mens Estates without security and opposed to an Arbitrary Power, because in all Courts of Justice, and in the high Court of Parliament (and that without any appeal from it) mens Estates and Interests are Judged without his Majesties personall Assent? We do not say this, as if the Royall Assent were not requisite in the passing of Laws nor doe, or ever did we say, That because his Majesty is bound to give his consent to good Laws, presented unto him by his people in Parliament; that, therefore they shall be Laws without his consent or at all Obligatory. Saving onely for the necessary preservation of the Kingdom whilst that necessity lasteth, and such consent cannot be obtained. But we said it, to this end, that the Kingdom may

may see that the Contrivers of the late Declarations seek to possess the people with feares and jealousies of an Arbitrary power in the Parliament, upon farre lesse ground, then we are said to amuse them with feares of forreigne Forces, whereof the danger might be apparent (which is ground enough for prevention) though not reall, and reall, though not effectually because prevented or diverted; *But we are no Parliament, no Major part of both Houses, but a Faction prevailing against a Major part of both Houses, and pretending them to be evill Counsellors, a Malignant party about his Majesty, &c.* This is something indeed; this would goe farre in answer to our Declaration, which without it were not so easie to be answered. A Faction prevailing against the Major part of both Houses, and pretending them to be a Malignant party, is like indeed to destroy the Rights both of King, and People. And we will adde too, the common right also of all the people, and the conservatory of all their Rights, which is the Parliament. And because this is so, therefor doe wee believe this is endeavoured to be done by the Malignant party about his Majesty, which by cunning and force labours to prevail against the true Major part of both Houses, pretending them to be a Faction of Malignant, Schismaticall and ambitious persons, that would subject both King and people, to their own lawlesse Arbitrary power and government.

But a Faction prevailing against a Major part of both Houses. Where is that Major part? about his Majesty? impossible; Shall some twenty of the House of Commons and some thirty of the Lords (whereof none can Act any thing there, in the capacity of a Member of Parliament) be the Major part of both Houses at London, that a Faction hath prevailed against? when? How did that Faction prevail against them? by cunning; when were the Major part so foolish, as to be prevailed over by cunning, and that they should suffer themselves to be voted a malignant Party? Why were they not so wise when they understood it, to unvote themselves, and vote that faction a malignant party? What Parliaments, what Lawes shall be unquestionable. if this may passe for an exception? *By force that faction prevailed*: that were something indeed, but what was that force? when did that force begin? when shall it end? It were well wee knew what or whether any of the Acts made this Parliament shall hold good or no. Why did not the major part of both Houses Vote that force? and why did not they agree with his Majesty to adjourn themselves to *Torke*, that they might be free from that force? *By absence that faction prevailed against them*: And why were they absent? why doe they not come when all meanes are used by the Houses to make them attend the service of Parliament? why are they commanded? why are they kept away? and yet neither House is so thin as the penners of that Declaration would make the World believe; and if the major part of those that are absent had been of a contrary opinion to the

major part of these that are present or coming together, could have made the major part present, neither had they bin absent, nor had the major part present been called a faction which overthrows all Laws and Parliaments that have bin heretofore.

By accident the major part was prevail'd against.

What is meant by that, we understand not, but wee understand well that such exceptions as these may be made use of to overthrow *Magna Charta*, and all the Parliaments and Laws that ever have beene heretofore, or shall be made hereafter.

For the Tragedy cited out of Master *Hooker*, no doubt the Contrivers of that Declaration intended rather to Act a Comedy upon both Houses of Parliament then that they could believe in their owne hearts, that they were so fanaticall in their own opinions (however it serves their turne to represent them under such names and notions to the people) or so low in their fortunes, as that they should need to take up a vizard of hypocrisie and abuse holy Scripture, for to make spoile of every mans Estate and goods, and as we must leave the framers of so odious a comparison to the judgement of God, who knows whom they mean under that name of *Anabaptists*, and with what heart and spirit they so needlessly and impertinently, at this time mentioned the talking of nothing but Faith and the true feare of God : so if ever God shall discover the foule Authours of so false a Calumny, wee doubt not but the Kingdome will be very sensible of it, and esteeme that they can never doe themselves right, but by bringing to condigne punishment, such persons as could find in their hearts to lay so vile an imputation upon the Parliament ; a name that alwayes hath, and wee hope alwayes shall be of so great honour and reverence within this Kingdome.

If the Contrivers of that Declaration, which undertake to declare what is Law, against the judgement of Parliament, doe it no better then they declare Logick and sense, the Kingdome must needs be very ill satisfied both in their Law and in their Logick : Doth not all mankind know, that a severall right is not the same right, what Logick is this ? *Severall men have severall rights in the same thing ; Therefore severall men may have the same right in the same thing.* Was it not demanded in that Declaration under his Majesties name, *What right any man had to his Land or House, that the King had not his Town of Hull ? Was it not demanded, What Title any man had to his Money or Plate, that His Majesty had not to his Magazine there ?* If it had been said onely that the King had an interest in them, that is of Seignury and trust for the publicke good, wee had taken no exception to it ; but when it was affirmed, that it was the same right that every man hath to his Lands, Houses, and Plate, we said : and we say so still, that it confounded and destroyed the property of every particular man, for

severall men and the same men, may have the same right in severall things, and also a severall right in the same things, but severall men cannot have the same right in the same thing, and the one not confound the other. The Lord *Paramount*, the *Mesme* Lord and the Tenants have the same right, *viz.* of propriety, but not in the same things; the Lord *Paramount* hath it in some chief Rents and Services and other things, the *Mesme* Lord in others, and the Tenant hath propriety in the rest, and neither hath the Tenant any thing to do with those chief Rents and Services that belong to the *Mesme* Lord, nor the *Mesme* Lord with what belongs to the Lord *Paramount*, but the Objects and extents of their Rights are distinct and different; On the other side the Right of the King, as King is in the same things, and of the same extent with that of the propriety, but it is of a different nature and for different ends: That of the Proprietary, is a right of propriety, which he may dispose of as he pleaseth according to his own discretion, for his own advantage, so it be not contrary to the publique good; but the right of the King is only a right of Trust, which hee is to manage in such ways and by such Counsels as the Law doth direct, and only for the publique good, and not to his private advantages, nor to the prejudice of any mans particular Interest, much lesse of the publique; And in this way there is nothing that a man hath a propriety in, but the King hath an interest in it in relation to the government of the Kingdoms. A man cannot dispose of his Person or Lands to the assistance of Traitors; he cannot receive a Traitor into his house, he cannot give him a penny of money; so that a mans house his person, every foot of his Land, every penny in his purse, are subject to his Majesty, according to the nature of his trust for the publique good, and no otherwise; and in all other respects belong to the owner to dispose of to his own private advantages as he shall think good; And if some men have a right in Leases or Lands which they cannot let nor sell, yet some men have such a Right in their Houses and lands, that they can both let and sell them, and dispose of them as they please, and therefore some men have a Right in their Houses and Lands which his Majesty hath not in his Town of *Hull*: And for those that have their Interests limited to certain uses, if they have them to their own use, there is hardly any so limited, but that they may dispose of them by gift or sale to some body (as to those to whom they belong in reversion) if not to any body that they please, at least (which is only to our purpose) as wee doe grant, that an interest which any man hath, may not be taken from him, because it is limited to certaine uses; so must it also bee granted to us, that because it is limited to such uses, it may not be employed to any other especially they that have Interests only to the use of others (as all Interests of Trusts are) cannot employ them to their own or any other use then that for which they are intrusted; And if the Houses of Parliament could have bin assured that they

who advised His Majestie to goe to *Hull*, intended that no other use should have beene made of that Towne and Magazine, but for the publick good and safety of the Kingdome, for which they were intrusted to him, there never had been so much dispute about that businessse.

For the Magazine, wee say still as wee said before, it is not taken from His Majestie, because it is taken from *Hull*, and if it were bought with the publicke Money, it could not be given away, sold or disposed of to private uses, and was onely intrusted to His Majestie for the use of the publicke: *But wee onely conceived it to have beene bought with publicke money.* And had we not good reason so to doe, when wee had it in evidence from the Accompts of the Collections of Tonnage and Poundage, that 32273 pounds was employed out of those moneys to that use, and that the Armes of the Trained Bands of severall Counties were deposited there? *But a trust cannot be recall'd or destroyed at pleasure.* Wee say so too, and that wee have neither destroyed nor invaded that of his Majestie, because wee directed it (as to us it did appertaine) into the right way, and to the right ends.

No, but wee have nothing to doe with the managing of his Majesties Trust, or to advise his Majestie therein, or to have any accompts of the discharge thereof, because it belongeth only to his Majestie and his Heires, and wee are to have no accompt at all of it?

Doth His Majestie owe an Accompt to his other Kingdomes of his Office and dignitie of a King in this Kingdome? a strange Paradox: yet declared in his Majesties name in His Answer to our Remonstrance of the 19. of *May*. And is there no accompt due to this Kingdome? But how doth it appeare that the Houses of Parliament have nothing to doe with the discharge of his Majesties Trust?

Because the people that sent us, could not place such a trust in us, since they could not looke upon us otherwise then as upon an uncertaine and temporary Body, called at pleasure, dissoluble at pleasure.

The experience of former sufferings, hath a little awakened us, and wee have reason still, hearing this kinde of discourse, to bee watchfull in this point of calling and dissolving Parliaments, which never was other then a trust reposed in the Kings of this Realme, and never intended as a Privilege, wherein they might use their pleasure, what ever the exigence of the Kingdome should bee; if this were a thing depending wholly upon their pleasure, all our Lawes which wee have by and for Parliaments, and all remedies which we can expect from Parliaments in point of Justice, and in point of Law, and Parliaments themselves, would bee very little worth to us: did the people intrust the King with a power to call them together in Parliament once every yeare by two expresse Statutes, and oft-

ner if need required and to dismisſe them when all Petitions and grievances were heard and redreſſed, and not before, and did they it with an intent that whatſoever the neceſſity of the Kingdom ſhould be, it might be un-called or abruptly broken off at pleaſure? If the Ports of a Towne be intruſted to the Governour thereof, to open and ſhut for the uſe and ſecurity of the Inhabitants, is it with an intent that he ſhould ſhut them in the day, when every body ſhould goe about his affaires, and ſet them open at midnight when untru-ly perſons might have the better opportunity to commit diſorders? If ever an equitable ſence of the Law had place, here it hath; but we have no need of it this Parliament, and what we now enjoy by Act of Parliament, our Anceſtors did claime the ſame in effect, as of common right, that no Parliament ſhould be diſſolved ſo long as any Petition remained unheard and undetermined.

Another Reason alledged by them to ſhew that wee have nothing to intermeddle with the Kings truſt is, *because by our writ we are called onely to Coun-cell the King, not to command and controule him, and to Counſell him onely in ſome things, not in all* (in quibusdam arduis) *and the example of Wentworth his Com-mitment is alledged to his purpoſe.* We are a Councell, and are we not his Ma-jesties great Councell, and as ſuch, are wee not to adviſe his Maſteſtie in the ma-naging of the truſt repoſed in him? it is ſaid, *that we are not to adviſe in all things.* It is true, becauſe all things are not worthy of a Parliament, but if they are proper to adviſe his Maſteſtie in the greateſt and moſt difficult matters (which therefore are expreſſed in the writ) are they not to-bee hearkened to in matters of leſſe importance, or is not the matter in queſtion of a great, high, and difficult nature? or is the Parliament bound up onely to thoſe ends for which the King calls them? And have they nothing to ſay or doe in the behalfe of the Kingdome? and as for that example of the Commitment of *Wentworth*, we know the beſt times often produce the worſt preſidents in ſome particulars, and in *Queen Elizabeths* time, (though generally a time of great honour and happineſſe to this Kingdome) yet there were ſome very ill Preſ-idents whereof this was one. *But the Parliament is a Councell.*

And is it not alſo a Court, and doth not that Court call to an accompt all other Courts of Juſtice and all Officers and Miniſters under his Maſteſtie, even for ſuch things as they ſhall doe againſt the Law, though by his Maſteſties expreſſe command; and what is this but to take an accompt of the diſcharge of His Maſteſties truſt? The Law exempts His Maſteſtie from accompt in no other ſence then it exempts him from fault, becauſe he is to doe Publique affaires of the kingdom by his Officers and Miniſters of State, and not by himſelfe and they are to give an accompt of That which the king doth by them, in which reſpect Sir *William Thorpe* Cheife Juſtice in *Edward the third* his time, was charged for breaking the kings Oath, as much as in him lay.

We are said to be a Councell.

And are we not also two Estates & two Estates comprizing the Persons of all the Peeres, and the representative Body of all the Commons of *England*? and shall the Collective Body of all the Kingdom have nothing to do to look in to the discharge of that Trust that is onely for the use and benefit of the Kingdom? nor be inabled with any power, to prevent danger and ruine, that they see ready to seize upon the Kingdom?

A third Reason alleadged, why we are not to intermedle in the managing of His Majesties Trust is.

Because it exceeds the bounds of our Trust, for that the Oaths (that they which sent us, and we our selves have taken) maketh them incapable to give, and us to receive such a Trust.

† What are those Oathes? Those wherein it is expressed, that His Majestie is Supream Head and Governour over all Persons, and in all Causes within his Dominions, and therefore we have no power to see that His Majesties Trust be managed, according to the true intent and Condition thereof; If wee should say the King hath in *Populo regendo Superiores, Legem, per quam factus est, & Curiam suam videlicet Comites & Barones, &c.* it were no new Doctrine, wee have an ancient Author for it.

Fleta libro 1^{mo} Capite Decimo septimo de Iusticiariis Substituendis.

If we should say, *Rex est major singulis, minor universis*, it were no new learning, and certainly this of Supream Head and Governour over all Persons in all Causes, as it is meant of singular Persons rather then of Courts, or of the Collective Body of the whole kingdom, so it is meant in *Curia, non in Camera*, in His Courts, that His Majestie is Supream Head and Governour over all persons, in all Causes, and not in his private Capacitie, And to speake properly, it is onely in his high Court of Parliament, wherein and wherewith his Majestie hath absolutely the Supream power, and consequently is absolutely Supream Head and Governour, from whence there is no appeale: And if the high Court of Parliament may take an accompt of what is done by His Majestie in his inferiour Courts, much more of what is done by him, without the Authoritie of any Courts. Wee are sorry that we are invited, or rather enforced to Questions of this Nature, but we cannot avoid it, when such Doctrine shall be Preached to the People (for these Declarations are read to them by Ministers in their Churches) that by the Kings Supremacie is meant a Power inherent in the Kings Person, without, above, against all his Court, the high Court of Parliament not excepted, so that hee may comptrole the proceedings of any Court, whereby the excellent constitution of this well-governed Kingdom, wherein the Laws are the rule of the Kings Government, and Actions and his Courts the Judges of the Laws would

be turn'd into a meere Arbitrary Government depending solely, and wholly upon the will and pleasure of the Prince as Supream Head and Governour, not only over particular Subjects, but also over all his Courts, and consequently over his Lawes. For those high and groundlesse aspersions cast upon us,

As if we did abuse our Trust to the destruction of His Majestie, the dissolution of his Government and Authority, and to make our selves perpetuall dictators, over the King and People, &c.

They are of the like Nature, with many more of that kind, wherewith that Declaration is stufft, which as they are without all ground of prooffe : So there will be no end or necessity of answering them ; but as we never allowed the People to make an equitable construction of the Lawes and Statutes, so it cannot in reason bee denied to the Supream Court of Judicature for to doe it when there is a cause so to doe : And wee hope the People will never bee carried away with a noise of words and reproaches against the Parliament, without any colour of prooffe to make any such equitable construction of the Act for continuance of this Parliament as may tend to the dissolution thereof, and their owne destruction therein, and that of the Kingdome of Ireland, together with them ; As we said before, so we say still, that we shall never allow by way of consent and not of comprolement, (in which sence wee hope the expression is humble and dutifull enough) that His Majesty should bee Judge of the Law out of his Courts : So wee must avow that the high Court of Parliament is the competent and highest Judge of the Law, and yet we neither make our selves Popes, nor Rebels in saying so, or doing so : wee did not say that the Parliament without his Majestie had a power of declaring the Law.

So as their Declaration should be a generall rule to all cases, but to declare the Law in a particular case in Question before them, it is no more then they alwaies did, and his Majesty himself in a former Declaration granteth, that we have power to do. But what if the Parliament judge that to be Law, which all the world sees is not Law ?

And what if his Majestie and a few private Persons about him Judge that not to be Law, which all the world sees to be law ? whether the presumption doe not lie stronger, where the Law hath placed no power of Judicature then where it hath placed it in the highest & last resort, let all the world judge. For the Rebels in Ireland, as that Kingdom is very different from this, so is their case from ours : we destroy none, we murder none, we rob none, by our Ordinance of *Militia*. But the arguments that are drawne out of this discourse against the power of judging, what is Law by the Parliament, are two : one is drawne from inconvenience, the other from absurdity.

From inconvenience because if a major part in parliament should bee judges of the

the Law, Rebels or the Malignant party might come to be the major part, and then what should become of the Kingdom? From absurdity, that a thing which was not necessary nor Law, whilst the two Houses disagreed, should after become necessary and Law.

The answer to that Argument of inconvenience and danger; if the major part of both Houses of Parliament, should be Judges of the Law, is, that of two dangers the lesse is to be chosen: there would be more danger if the judgment of the Law should be in the breast of one man who is more lyable to mistakings and passions and particular respects unto himself to the prejudice of the publick then such a body chosen out of the whole Kingdom is like to be, and if a Kingdom must suffer, it suffers most justly from it self, as it doth when it suffers from a Parliament, whom they have chosen, and whose Act is their own.

For the absurdity wherein doth it appear that the Lords House should bee of one opinion at one time, and afterwards bee of another? Or rather that this Alteration in the Votes of the Lords House, should make that necessary and Law one day, that was neither necessary nor Law the day before? Wee doe not say so, it was as necessary before, and it was as much Law before; that in such cases of necessity the Houses of Parliament should have a power to provide for the safety of the Kingdom: but that necessity, that Law was not so unquestionable before, nor was the Rule so cleer for them that should obey as when it was judged by the Chiefest Court of Judicature within this Kingdom. But now followeth an high and heavy Charge against us, *That to justify the Invasion of his Majesties ancient unquestioned, undoubted right, settled and established on his Majesty and his posterity by God himself, confirmed and strengthened by all possible Titles of compact, Laws, Oaths, perpetuall and uncontradicted Custome by his People wee have alledged an Oath, that is or ought to be taken by the Kings of this Realm, as wel to remedy by Law such inconveniences as the Kingdom may suffer, as to keep and protect the Laws already in being.*

We confesse the Framers and Penners of that Answer might have had some colour to have taxed us, for the breach of Our Oaths, if we had invaded the ancient, unquestionable, undoubted Rights of his Majesty, wherewith the People of this Nation by the Laws and Customes of this Land, have invested his Majesty, and his Posterity; and God also himself hath ratified unto them by confirming and strengthening those Laws, Customes and Compacts. But wherein consists the Invasion of any such unquestionable, undoubted Right of his Majesty, and wherein consists the Justification of any such Invasion? In that wee have declared (as they say) *That there lyeth an Obligation of an Oath upon the Kings of this Realm, to passe all such Bills as are offered unto them by both Houses of Parliament.*

We did not say so, but we did and do say, that the Oath which is or ought

to be taken by the Kings of this Realm, doth oblige them to passe all such Bills as are offered unto them by both Houses of Parliament, in the name, and for the good of the whole Kingdom, and as well to remedy by Law such Inconveniences as the Kingdom may suffer, as to keep and protect the Laws already in being; and to all the exceptions that have bin taken, to what we have alledged concerning the Oath, which ought to be taken by the Kings of this Realme at their Coronation, we shall give such Answers as we doubt not but will be very cleer and satisfactory to every man that shall read, and consider them.

The first Exception is; *That it is a thing that was never heard of till this day, that any such use should be made of that Oath.*

This exception we shall have sufficiently cleered, when wee shall have made it appear, that it hath bin ordinarily so taken heretofore, and that also, amongst others, by a learned Judge (so termed by his Majesty himselfe in a late Proclamation) and that the Lords and Commons some hundred yeers since, have so taken it, and so claimed it of the King, who did not deny it, and that another King afterwards expressly declared and acknowledged it in Parliament, as appeareth upon Record. That it hath been ordinarily so taken, appears by a *Memorandum* upon Record at the Coronation of *Ricard the Second*, wherein the heads of the Oath being set downe, that Clause of the Oath, concerning the Kings strengthening such Lawes as the people have chosen or shall choose, the matter is not great whether way it be rendred, so it bee understood alwayes that the Lawes refer in that Clause to the Royall assent, as a thing future and and not passed (as they doe) is rendred thus; *Ac de faciendo per ipsum Dominum Regem eos esse protegendos, & ad honorem Dei, Corroborandum quas vulgus iuste & rationabiliter eligerit*; which expression with that qualification, which the people should justly and reasonably choose, cleerly relates to new Laws that should be chosen by the people; And in all the Alterations in the forme of the Oath, that we can find, excepting that which was taken by his Majesty, and his Father King *Innes*, (wherein the word *Choose* is wholly left out, as well hath Chosen as will Choose) that Clause is understood of new Laws to be made, as in that Oath which *Henry the Eighth* Corrected and interlined with his own hands (whereof there is a Copy amongst the Memorials of the Archbishop of *Canterbury* at *Lambeth*) the Clause in question, that is, [and affirm them which the folk and people have made and chosen] is interlined by him thus Instead of Folk, he put Nobles and people, and after the words, *Made and Chosen*, he added, *With my Consent*. And in the Oath of *Edward the Sixt*, which is to be seen at *Lambeth*, also: the Lord Protectour and the other Co-executors holding it necessary to correct the Ceremonies and Observances used at the Coronation of the Kings of this Realme, in respect of the tedious

tedious length of the same; and also for that they conceived, that many points of the same were such, as by the Laws of this Realm, at that present, were not allowable (as is there expressed) they altered severall Clauses in the Oath, and the Clause in question they changed into this following:

[Doe you grant to make no new Laws, but such as shall be to the honour and glory of God, and to the good of the Common-wealth, and that the same shall be made by the Consent of your people, as hath bin accustomed.] By all which it cleerly appears, that in that Clause of the Oath; *Et ad honorem Dei, Corroborandum quas vulgus eligerit*; His Majesties Royall Assent to new Laws was generally understood to be meant. And for the learned Judge we spake

of, it was Justice *Hutton*, who not onely taketh the Oath in this sence, but publickly declareth in his Argument in *Master Hampdens Case*, concerning Ship-mony, that hee conceived that it was in respect to their Oath, that the Kings of this Realme, never make a direct deniall to such Bills as are tendred unto them from both Houses, but onely give that Answer, *Le Roy Savisera*.

As to the Claime of the Lords and Commons, it was in *Edward the Thirds* time, and the King denied it not, as may appeare by the Preamble of the Statute cited by us in our Declaration to this purpose, and recited by the Penner of that Answer, but without those words, which were the words, for which we cited it, that is, He ought and is bound by his Oath: For the expresse Declaration and Acknowledgment of it by another King in Parliament; It appears out of the Parliament Rols, 3 *R. 2. n.* 38. and 40. where the Commons desiring a Grant of new power to the Justices of Peace, to inquire into Extortions; which the Bishops and Clergy conceiving that it might extend to the Bishops and their Ordinaries they made their Protestation against this new Graunt. yet professed that if it were restrained onely to what was Law already, they would consent to it, but if it gave any new or further power, they would never give their Consent to it. The King answereth, that notwithstanding their Protestation, or any words contained therein, hee would not forbear to passe this new Graunt, and that by his Oath at his Coronation, he was obliged for to do it.

By this time wee hope it appears, that wee have broached no new Doctrine in this point; and for the second Exception that is taken to what wee alleadged concerning the Oath it is this; *That no such thing as wee supposed, could be collected either out of the words or matter of that Oath; not out of the words, because Elegerit signifieth hath Chosen, as well as will Choose, and that it doth signifie so in the Oath; the constant practice of all Ages, and the word Customes, whereunto it is joyned, and which cannot have reference to such Customes as the people should choose after this Oath taken, doe as they conceive) make it evident. Nor from the matter of the Oath can it be collected, Because the*

most material point in that oath, might be destroyed by such a Construction thereof, and so a King might be sworn to do that which would disable him to do that which he was mainly sworn to doe; that is, to protect his people; of which power hee might wholly deuest himself, if he were bound to passe all Bills offered to him by the Houses. As in particular by passing the Bill of the Militia, his Majestie (as the Framers of this Answer make the World believe) should have done.

We do not deny but (*Elegerit*) may signifie, hath Chosen, as well as shall choose; In which sence we take it, and it may signifie, shall choose, as well as have chosen; and it is usually so taken, for which wee need not goe farther for an instance then to that Clause which is added in the close of those questions, *Adjiciuntur predictis interrogationibus quæ iusta fuerint*: which is not to be interpreted, that such things may be added to the aforesaid questions vvhich have bin just, but which shall be just, and it seems above an hundred yeers ago, (shall choose) was thought as proper a Translation, as (have chosen) as may appear in an old book in the Heralds Office, vvhich belonged to *Clarencieux Hanley*, that lived in *Hen. 8* time, vvhich the Oath is found three severall times in English, and in all of them it is rendred (shall) and not (have.) But as vve said before, it importeth not much whether way it be rendred, if still the sence be (as it may and ought to be understood) that the Choice should refer to such Laws as the people from time to time shall have chosen; and not onely to some Laws and Customes which were made before the taking of this Oath, and that it doth refer to such Laws as though they have bin chosen and passed by the people, yet have not bin passed by the Royall Assent; and this wee doubt not when vvee shall have cleared the Objections, to make very plain and evident.

The first Objection is, *From the perpetuall practice of all succeeding Ages which is said to be a better Interpreter then our Votes.*

What doth the perpetuall practice of all succeeding Ages interpret? that this Oath did onely looke backwardes to the Ages proceeding the first Administration of it to any King of this Realme; This vould exclude a great part of the Laws in being, and haply *Magna Charta* it selfe, from being comprised within this Oath, not onely as to the making, but also for the Observation of them, and is expressly contrary to what hath bin constantly acknowledged by the Kings of this Realme, that they are bound by their Oath to the Observation of all the Lawes made by their Ancestours, and also that shall be made by themselves after the taking of their Oath; But at least the constant practice of all Ages interprets their Oath to be meant onely of Laws already made, and not of the making of new Laws, because they have ordinarily denied Laws presented unto them by their people in all Ages.

Wee know well what Kings have done in this point, but we know also, that what they have done is no good Rule always to interpret what they ought

ought to have done ; For that they are bound to the observation of Laws by their Oath is out of question, and yet the contrary practice in all Ages will appear as often , and in as many particulars as in the deniall of Laws which their people have desired of them, and it is well known that the Laws for holding a Parliament once a year lay asleep for a long time , (yet the practice was no Argument against the Right.) But it appears upon the Parliament Roll, 2 H.5. That the Commons acknowledged the King might grant something in their Petitions and Werne (that's their word) others as he pleased; wee deny it not, they did so, but those were Petitions of the Commons onely , which they presented to the King by Writ, or by the mouth of their Speaker (as is expressed in the same Roll) and it doth not appear that the King denied any part of them; But by the advice of his Earls, Barons, and other great men (that is of the Lords House) by whose Advice it is expressed , that hee consented to such points of them as he did assent to, and those Petitions of the Commons which they presented by Writ , or by Mouth of their Speaker, as they were not weighed and passed with that consideration and formality as Bills are , so they contained divers things of a different nature, & so the King might have reason to deny some of them, because they might be meere Petitions of Grace , and of such things wherein the King was to part from some thing that belonged to him as of particular right and interest, and of that nature those things that have bin denied will be found to have bin for the most part , if not altogether. But that Kings have ordinarily denied publick Bills concerning the Government & common good of the Kingdom that had passed both Houses we are yet to seeke, or that ever they denied any Bill otherwise then in that usuall Answer , *Le Roy Savisera*, which if it be not a consent, it is not a deniall, nor doth a liberty of deliberation always exclude a necessity of consent; for the Will taketh counsell of the Understanding. And yet all men hold it ought, and many that it necessarily must follow the last & ultimate dictate of the understanding; And yet we do not say or ever did, but that some thing is left to his Majesties Judgment & Conscience in the passing of Laws, but he hath the obligation of an Oath lying upon him to discharge that trust. And if some Kings have taken too great a latitude to themselves in judging Laws to be ill or unreasonable by their own private Judgments contrary, to the Judgment of their great Councell the Parliament. It doth not follow, that the obligation was lesse upon them, or that they ought not to have bin very tender in going contrary to the Advice of their great Councell in a matter concerning the good of the whole Kingdom, and wherein they lay under the tie and obligation of an Oath.

For that which is said concerning Customes , *That the Oath could not be meant of Customes, that the people should chuse after the taking of this Oath.*

What is more ordinary , then in a Clause wherein some words may belong to one part, & some to another, to interpret it, *Reddendo singula singulis*: Though

Customes could not be chosen, yet **Laws** might, & Customes might be kept, & protected; which words are in the Clause as well as those of chusing & strengthening. But why may not Customes be confirmed as well as Laws enacted? What is more usuall then to confirm Customes by Statutes? for Customes being **Laws**, that grow up by a Tacit Consent of the people, they are more subject to question then Statutes, especially from the King, without whose assent they are taken up of the people, and therefore as the first part of the Kings Oath, is to keep all the Laws and Customes granted by his Ancestors, & especially those of **K. Edward** the Confessor; So in this Clause, he swears to keep, protect, & give strength to such Laws as shall be enacted for the good of the Kingdom, & such just Customes as had not yet bin expressly granted by his Ancestors, which his people should desire to have ratified & confirmed to them. For that Argument which is taken from the matter of this Oath, *That it cannot be meant that the King should be thereby obliged to devest himself of a Power to protect his Subjects, which is the great business of that Oath.* If we had said (as we did not) that the King had bin bound to passe all Bills that should be offered to him by both Houses of Parliament, without any limitation or qualification of Reason & Justice, yet such a supposition as this could not fall upon a Parliament: as if they could desire such a thing, much lesse, that a King were obliged for to grant it, But how improperly this is applied to our Bill concerning the *Militia*, we leave it to every man to judge, when they shall consider how necessary, how just, and how reasonable that Bill was, and how much they mistake the way and manner wherein his Majesty is to protect his Subjects that have Advised him to deny that Bill; & to set up a Commission of *Array* so destructive to Liberty, & to the propriety of the Subject; was it not necessary that the Kingdome should be put into a posture of defence? on all hands is agreed, the people petitioned for it, the Parliament make it the ground of their Ordinance, the King maketh it the ground of his Commissions, All the question is concerning the way; And wee shall make it good, that the main point wherein his Majesty differed from us in the Bill concerning the *Militia*, was this, That vve desired the power of the *Militia* should be put into the hands of persons approved by his Majesty & both Houses; to be answerable to the Law for the discharge of their duties, & his Majesty would not admit of it, unlesse he might be Judge both of the time when, the Cause why, and the manner how, that power should be exercised; And that in his own person out of his Courts; for in them hee might have called them to an account for not doing, or doing what they should have done, or not have done; And if it is by the Law, & by the Courts of Justice judging of the Law, & by the *Militia*, to maintain the proceedings in them according to Law; That his Ma. is to protect his Subjects, our Bill for the *Militia* vvas so far from devesting him of that power, that it did give him a power (which he had not legally before) to command the whole *Militia* in the Kingdome in an

orderly and effectuall way, and all those to whom it was committed to obey and assist him in the Protection of all his good subjects in their persons and estates according to law, but if by the Protection of his Majesties subjects, be meant the protecting of them from the summons and proceedings of his Courts, even of his highest Courts, and the making of himselfe sole judge of the necessities and dangers of the Kingdome, against the opinion of the representative body thereof, and of the Law, against the judgement of the highest Court in the Kingdome; If this be the protection which is intended to the subjects by the souldiers, it is more like to that we heare of in other Countries and never desire to see in this, then to that under which the subjects have for so many yeeres lived with so much freedom and security in this Kingdom; And we must leave it to every man to consider within his own breast, whether our Bill for the Militia is so monstrous, as it is represented; and must lay it upon the consciences of those that advised his Majesty to refuse it, and to take up such other wayes in opposition to it, whether they have not been without all cause the cheife if not the only cause of all the distractions and miseries that are like to ruine this unhappy Kingdom.

And now that we have taken away the objections, there is no indifferent man that will not be perswaded by the Authorities before cited out of Statutes, and otherwise, that this clause of the oath taken by the Kings of this Realm at their Coronation is meant of new Lawes to be made; and if it were not so, it could not well be understood what should be the meaning of the word (*Corroborare*) which signifies together with others to give strength to a thing for what strength could lawes that had passed the King and both houses, receive more then they had before, or to what purpose should those words (*Quas vulgus elegerit*) be put in but to puzzle the whole sence, if it had been meant only of keeping the Lawes? and therefore in the oath which is set down in English, in that answer to our Declaration, the word (*chosen*) is quite left out, as altogether superfluous, as indeed it would be if it had not relation to such Laws as were to be offered and presented to his Majesty by his people. In the last place it is charged upon us, *That we have not dealt faithfully in the making use of a Latin Record when we might aswell have set forth the form of the Kings Oath in English, even of that very Oath which his Majesty took at his Coronation, which is said to be found in the records of the Exchequer.*

The reason why we did not make use of an English, record was, because we could find none, nor can we yet finde any though we have caused diligent search to be made for it, yet we do beleve that was the form of the Oath which was taken by his Majestie, and by his Majesties Father king *James*, for we find it so amongst the memorials of the Archbishop of *Canterbury* concerning the Coronation of King *James*, and his Majesty, but we find in the same memorials the

form of the Oath in Latine particularly agreeing with that which was cited by us, and also in French fully agreeing with the Latine, and with the records thereof in French in E. 2. and E. 3. time therefore the forme of the Oath appearing to be the same in Latine and French, for divers hundred yeers, and there appearing no such forme as was used in English by his Majesty and his father before their time, and there appearing no alteration to have bin made but only in the English and that only since Henry 8. his time, and it being our purpose to cite the oath (not that was taken by his Majesty) but that anciently was, and of right ought to be taken by the Kings of this realm (which we doe not conceive any had power to alter without an Act of Parliament) we should have had no reason to have made use of that forme, if we had found it upon record, and the English being but a Translation out of the Latine and the French (in which language it was anciently taken by the Kings of this Realme) we should not stand in need of much Latine or French to find this form of the Oath set down in that answer, and which is said to have been taken by his Majesty to be no good translation, either of the Latine or of the French, and particularly as to the clause of the Oath in question that (*Elegerit*) doth not signifie only (*Have*) and no more, and for the full satisfaction of every man we shall set down the form of the Oath, as we find it upon record in Latin and French, and in English, as we find it translated out of the French in an old booke in the Heralds Office belonging to *Clarencieux Hawley* who lived in Henry the 8. his time, and though there be two other forms of the Oath in English in the same booke, whereof one is said to have been used at the Coronation of Henry the 8. and the word (*Elegerit*) in both of those formes rendered in the future tense, yet we shall make use of that which is there expressed to have relation to the Oath as it is in French, because we find that translation to agree with the French, which we finde upon record to have been taken by E. the 2. and E. the 3.

Sire voulez vous grantes & garder & par vostre serment confirmer au peuple d'Engleterre les Leys & les Costumes a eux grantees par les anciens Roys d'Engleterre vos Predecesseurs droitus & devotez a dieu & nement. au Clergie & au peuple par le glorieux Roy saint Edward vostre predecesseur.

Respond. je les grante & promitte.

Sire garderez vous a dieu & a saint Eglise & au Clergie & au peuple paix & accord en Dieu entirement selon vo vostre poaire.

Respons je le feray.

Sire grantes vous a tenir & garder les leys & les Custumes droitureles les quels la communante de vostre Royaume aux estus & les defenderer & assforcerer al honneur de dieu a vostre poaire.

Respons je le grante & promitte.

Out of an old booke in the Heralds Office.

Sir,

Sir, Will you grant and keepe, and by your oath confirme to the people of England, the Lawes and Customes granted to them by ancient Kings of England, rightfull men, and devout to God; and namely, the Lawes and Customes, and Franchises granted to the Clergy, and to the people by the glorious King Edward, to your power.

Sir, Yee keepe to God and to holy Church, to the Clergy and to the people peace, and accord wholly after your power.

Sir, Yee doe to be kept in all your doomes and judgements true and even rightousnesse with mercy and truth.

The King shall answer, *I shall doe it.*

Sir, Will you grant, fulfill, and defend all rightfull Lawes and Customes, the which the Commons of your Realme shall choofe, and shall strengthen and maintaine them to the worship of God after your power.

The King shall answer, *I grant and behete.*

Ex Rot. Parliament. 1. H. 4. n. 17.

¶ Sequitur forma juramenti soliti & consueti præstan. per Reges Anglia in eorumdem Coronatione quod Archiepiscopus Cantuar. ab iisdem Regibus exigere & recipere consuevit prout in libris Pontificalium Archiepisc. & Episc. plenius continetur.

Quod quidem juramentum Richardus Rex Anglia post Conquestum secundus in Coronatione sua præstitit & ab Archiepisc. Cantuar. erat receptum & illud idem juramentum dictus Rex postmodum iteravit prout in Rot. Cancellarii plenius reperiri poterit de record.

Servabis Ecclesia Dei, Cleroque & populo pacem ex integro & concordiam in Deo secundum vires tuas.

Respondebit, servabo.

Facies fieri in omnibus iudiciis tuis aquam & rectam justitiam & discretionem in misericordia & veritate secundum vires tuas.

Respondebit, servabo.

Concedis justas leges & consuetudines esse tenendas & promittis pro te eas esse protegendas, & ad honorem Dei corroborand. quas vulgus elegerit secundum vires tuas.

Respondebit concedo & promitto.

Adjicianturque prædictis interrogationibus qua justa fuerint pronuntiatisque omnibus confirmet Rex se omnia servaturum Sacramento super Altare præstito coram cunctis.

Out of the Claus. Rot. 1. R. 2. M. 44.

Afterwards the foresaid Archbishop of Canterbury having taken the corporall Oath of our Lord the King to grant and keep, and with his Oath to confirm the Lawes and Customes granted to the people of the Kingdom of England, by ancient just and devout Kings of England, the progenitors of the said King, & especially the Lawes, Customs & Freedoms granted to the Clergy & people of the

the said Kingdom by the most glorious and most holy King *Edward*, to keep to God, and the holy Church of God, and to the Clergy and people peace and concord in God intirely according to his power, and to cause equall and right justice to be done, and discretion in mercy and truth, and also to hold and keep the just Lawes and Customes of the Church, and to cause that by our said Lord the King they should be protected, and to the honour of God strengthened, which the people should justly and reasonably choose to the power of the said Lord the King; the aforesaid Archbishop going to the foure sides of the said Scaffold declared and related to all the people how that our Lord the King had taken the said Oath, enquiring of the same people if they would consent to have him their King and Liege-Lord, to obey him as their King and Leige Lord; who, with one accord consented thereunto.

Ex Rot Clausar. de An. 1. Ric. 2 M. 44.

Subsequenterque capto per prefatum Archiepiscopum Cantuar. sacramento Domini Regis corporali de concedendo & servando cum sacra confirmatione leges & consuetudines ab antiquis iustis & Deo devotis Regibus Anglia, progenitoribus ipsius Regis Plebi Regni Anglia concessis & presertim leges, consuetudines & libertates à gloriosissimo & sanctissimo Regi Edmō clero populoque Regni predicti concessis & de servando Deo & Ecclesia Sancti Domini Cleroque & populo pacem & concordiam integre in Deo juxta vires tuas & de faciendo fieri in omnibus judiciis suis equam & rectam Iusticiam & discretionem in misericordia & veritate & etiam de tenendo & custodiendo justas leges & consuetudines Ecclesia, ac de faciendo per ipsum Dominum Regem eas esse protegendas & ad honorem Dei corroborand. quas vulgus iuste & rationabiliter elegerit juxta vires ejusdem Domini regis. prefatus Archiepiscopus ad quatuor partes pulpiti predicti Accedens exposuit & enarravit Vniverso populo. qualiter dictus Dominus Rex hujusmodi prestitit Sacramentum inquirens ab eodem populo si ipsi consentire vellent de habend. ipsum regem & Dominum ligum & adobediend. & ei tanquam Regi & Domino ligo qui utique unanimiter consenserunt.

Let now all the World judge whether wee have broached any new or any false Doctrine, and whether the conclusion that wee drew from the Oath, doth not naturally and necessarily follow out of it, that is, That by the Oath which the Kings of this Realme have or ought to take, there lieth an Obligation upon them to passe such Lawes as are offered unto them by their people in the name and for the good of the whole Kingdome, and by accord with their People in Parliament to make remedy and Law upon such mischiefes and dammages as may happen to the Kingdome: and as we acknowledge that mischiefes ought to be remedied by Law; so it is most true that if the remedy of Law be not in time applied to them, they many times grow to that hight as to be past remedy of Law; And as we did not determine that Question how farre forth the King

is obliged to follow the judgement of His Parliament, so as to conclude, that a new Law might bee made without His consent, So wee doe acknowledge that the contrary may be truly inferred out of all that wee said, For to what end a trust, and an Oath to performe that trust, if it might be done otherwise? yet we gave reasons (which are not answered) That Kings ought to attribute very much to the judgement of their Parliament, And this the gentleness of their usuall answer doth cleerely shew (if it signifie no more) and that was the scope of all that we said in this point, and the very end for which we at this time cited the Oath usually taken by the Kings of this Realm at their Coronation, was that neither his Majesty nor the Kingdom should be any longer led away with that false position which of late hath been so usually and openly declared: that all new Laws are Acts of grace, and that his Majesty is absolutely at liberty to passe them or not, as he pleaseth, how good soever, or how necessary soever they may be for the Kingdom, Whereas by the Oath that ought to be taken by the Kings of this Realm at their Coronation, the contrary doth appeare, and from thence it doth necessarily follow, that the Kings of this Realme ought to be very tender in denying both Houses of Parliament in any thing that concernes the publicke government and good of the Kingdome, and that they ought to deny themselves and their own understandings very far, before they deny them, and that upon this ground, because they lie under the Obligation of an Oath to passe such Laws if they be just and good for the Kingdome, and it must then be a tender point for a Prince to judge otherwise of those Laws that are represented unto him, as such by the representative body of the whole Kingdome; the case is not the like in private Bills, nor in publick Acts of grace, as pardons and the like, which may in some sense be called publick, when they are generall, although they are rather Acts of grace in many particulars, then to all the Common-wealth in generall, and in so farre as the penalties and forfeitures are remitted, His Majesty departeth from his particular right and interest, and in all such Acts of grace, we cannot expect that His Majesty should grant them as of right, neither is he thereunto obliged by his Oath, neither doe we share with His Majesty in the power of pardoning, because the high Court of Parliament hath a power of condemning and absolving, that is of judging aswell without as with His Majesties personall consent. Nor is His Majesties power of pardoning any whit empaiied, because he hath not a power of condemning or acquitting out of His Courts, and making any actions criminall or not criminall as he pleaseth. All this considered, We cannot yet beleieve the people of this Land to be so void of common sense as to thinke that the Bill for the *Militia*, (which hath been denied as by the advice of evill counsellors enemies to the peace of this Kingdome) was not a thing for their ease and benefit, yea for their safety & security, and such a thing as he could

neither in prudence or faithfulness to them by whom we are trusted, forbear to aske, or that his Majesty had any cause in Honour, Justice or Conscience for to deny, or that we have endeavoured to render his Majesty odious to his Subjects and them disloyall to his Majesty, because wee have endeavored by all meanes to procure His Majesty to leave the advise of private and evill Counsellors and to hearken to his great Councell, and to obtaine from his Majesty, Acts of grace, justice and protection for his people, that their hearts may be united unto him as one man when he shall appeare unto them as the fountaine from whence all good floweth unto them. Neither (we are confident) when they see the present distractions and dangers still growing upon them from the same evill counsellors from whence they did alwaies arise, and when they shall see the miseries, and burthens multiplied upon them from the same hands that have alwaies laid them upon them, and when they shall heare that some of the Authors of the secret plots and conspiracies against the Parliament are now preparing by open force and warre to destroy it, will they be satisfied with being told that calamities proceed from an arbitrary Government which no man fees, from tumults which no man feares, and from treasons which no man understands, and not rather from evill Counsellors which no man needs name, from plots and conspiracies which no man can deny, and from feares and jealousies which no man can be free from, and we are well content that it should be left to the conscience, reason, affection, and serious consideration of all his Majesties good subjects, whether they that have bene at so great charge, taking such incessant paines, exposed themselves to so many perills and hazards to procure them so many acts of Justice and so many good Lawes as they have obtained for them this Parliament, or they that so furiously carry on the preparations of a civill war against the Parliament and Kingdome, be the more like to ruine them.

For his Majesties absenting himselfe from his Parliament, and refusing to let the Magazine be removed from *Hull* upon the desire of both Houses of Parliament they that can believe that the Papists both in *England* and *Ireland* doe not make advantage of His Majesties absence from His Parliament; and the distractions that ensue thereupon, and that Papists and ill affected persons both at home and from abroad might not have taken advantage by the Magazine at *Hull* may happily be induced to believe that Sir *John Horham* denied His Majesties entrance into *Hull* out of disaffection or disloyalty to His Majesty; and that the Houses of Parliament intend to make some private advantage of that Towne or Magazine.

For the message of the 20 of January, we were not ignorant of the breach of privilege in the way and manner that it came to us from the beginning, and the reason why wee were content to passe it over in silence, wee have already given,

given, but the prescribing of a method to both or either House of Parliament by his Majesty for the time and manner of their proceedings, especially in matters of money is so knowne a breach of Priviledge of Parliament, and hath so often been remonstrated to be so in former Parliaments, that we are confident the framers of that Declaration would never have affirmed the contrary: But that they beleeve the People (unto whom these Declarations seeme especially to bee directed) did not understand it so well as every man else doth, that knoweth any thing of the proceedings of Parliament.

For the instances that we gave of an inclination in some about His Majesty to a Civill Warre; We are contented they should bee Examined againe, and compared with other more evident Symptomes thereof, that have, and doe daily discover themselves in that behalfe; was not His Majesty's going to the House of Commons in that manner that he did, the seed of all our late Distractions, and evidently tending to the Interruption of the Peace of the Kingdom? And for the appearance in a warlike manner at *Kingston upon Thames*? It's true we find in a Declaration under His Majesties Name, *That the Lord Digby went with a Coach and six Horses to visit some Officers there*, but wee heare nothing of Waggonen loaden with Pistols, Carbines, and Ammunition, nor of great Horses armed with Pistols; nor that those Officers, together with other Souldiers and Cavaliers, were some hundreds, nor that they were listd and taken into pay, and an Invitation made to such Gentlemen as would mount and maintaine themselves for a Moneth, that afterwards they should be taken into pay, and be of His Majesties Guard for their lives; Nor of the unruly carriage of that Company assembled there, discharging their Pistols, and threatning the Inhabitants, that they would have the heads of some of them within foure dayes, to the great terror and amazement of the poore people: If all this will not amount to a Warlike appearance and preparation, we leave it to every man to Judge: And we doe grant that our appearance at *Kingston upon Hull* was very different from it, because it was upon very different grounds, and to better ends and purposes.

What is meant by *the drawing of Swords at Yorke, and demanding who would be for the King*; If it be knowne to few in *Yorke*, it is unknowne to few in *Yorke-shire*; And if inquiry be made concerning it at *London*, there will bee found both eye and eare witnesses of the truth of it: For his Majesties going to *Hull* (which no man can ever beleeve to have been intended onely for a visit) whether it were to prevent a Civill warre, is very obvious to any that will consider the effects, that have and were alwayes likely to have entred thereupon, and how liule necessitie there was of his Majesties going thither when hee did, more then when he came first to *Yorke*, and for the declaring of Sir *John Hotham* a Traytour, before the Message sent to the Parliament (under whose name,

and by whose authority Sir *John Hotham* avowed his actions) and the making of propositions to the Gentry of *Yorke-shire*, to assist his Majesty in a way of force against him, before any answer was, or could be received from the Parliament; we leave it to every man to judge, whether notwithstanding all that is alledged in that Declaration, it were not a very dangerous violation of the Subjects Liberty, and the sounding of a Trumpet to war, whilst the matter was in a way of Iustice, and to anticipate and prevent a faire and judiciall proceeding therein, and because *the not giving of satisfaction to his Majesty against Sir John Hotham* is alledged as a sufficient cause for his Majesty to stop all the Summons of Parliament, and so to damme up the course of Iustice at the fountain. We desire every man to consider of what consequence this would bee, if his Majesty should doe the like to all Courts of Iustice (as hee might as well and better) and so stop the whole course of Iustice: because those that are Iudges, will not make themselves onely executioners at his command: for if his Majesty sent to his high Court of Parliament to demand Iustice as from Iudges, why did he not rest satisfied in their Iudgement from whence there is no appeale? and if he sent to them onely as Executioners, is it reason that any Court, but especially the highest Court of Iustice, should have a hand to strike, and not withall an eye to see? But if these may seeme weake Symptomes of an intention in some about his Majesty to raise a combustion within this Kingdome, because they tooke not effect, and that so many came not to their Lure, as was expected, are there not now strange and cleare tokens of it, running still in the same veine, and rising from the same fountaine of the same evill Counsels? Is there not a cleere intention, if not an actuall beginning to make warre against the Parliament? What means then the often summoning and calling together the Gentry and Inhabitants of the Countie of *Yorke*? they that doe believe his Majesties journey to *Hull* was onely to make a visit of the Towne and Fort, may happily be perswaded, that when all these people were gathered together at *Heworth-moore*, the third of *June*, it was not to make any proposition unto them (had they been disposed as was expected) but only to ride about them, to take a view of them, and to heare them shout: And if there be no intention of War against the Parliament, what meanes those Troopes of Horse and Foot, lately raised at *Yorke* and what such preparations of Armes and Moneyes going to *Yorke*, and what meane the endeavours of leavying of Horses in diverse places, under pretence of his Majesties service, and with great promise of large pay, and some by colour of true or fained Letters from his Majesty for that purpose. And all this before any preparation, made by us of Horse, Money, or Plate, for our own defence. *But we are mistaken; all this is only for a Guard to His Majesties Person.* And did his Majesty stand

stand more in need of a Guard vvhhen he first raised those forces, then vvhhen he came first to *York*? Did not his Majesty vvhhen hee first proposed the raising of this Guard to the Gentlemen of *Yorkeſhire*, the thirteenth of *May*, and required their aſſiſtance, therein expreſſe to them vvhhat hee meant by the ſafety of his Perſon, that is, the recovery of his Magazine taken from him (as is ſaid) by the Parliament, the making void the Ordinance of the *Militia* eſtabliſhed by the Parlt: the puniſhment of Sir *John Horham* as a Traitor, for vvhhat he had done by order of Parliament, and the proteſting of them and the Lawes, and the true Proceſſant Profeſſion from Affronts and Injuries, and all this to be done by a Guard for his Maſteſties Perſon, and all this but a Guard for his Maſteſties Perſon? Is the making void of the Judgments and Acts of both Houſes of Parliament by force, the Guarding of his Maſteſties Perſon? Is the ſheltring of Delinquents from the Summons and Juſtice of Parliament by means of this force, (a cleere Invaſion of their power and known priuiledges) a Guarding only of his Maſteſties Perſon? Doth not his Maſteſty in his Letter to the Major, Aldermen, and Sheriffs of *London* of the fourteenth of *June*, ſay that he will raiſe force for the proteſting of the Law? And doth he not continually declare that by the proteſtion of the Law, his Maſteſty meaneth the making void of the Ordinance for the *Militia*? vvhich is by force of Armes to make himſelf Judge in his owne Caſe, and in his owne Perſon, againſt the Judgment of the higheſt Court; can any man believe that his Maſteſty charging both Houſes vvith countenancing of Treason, and a Rebellion vvithin twenty miles of him, and for endeavouring to overthrow the Government of the Kingdom, and under pretence of a Truſt from the Kingdome, to deſigne the mine not only of his Perſon, but of Monarchy it ſelf? Can (or had hee reaſon if theſe things were true) to intend any thing elſe by theſe preparations, but the deſtruction of ſuch perſons as his Maſteſty ſo openly charged with Rebellion and Treason againſt himſelfe and the whole Kingdom? or can any man believe that the preparations at *Amſterdam* in *Holland*, of ſo many thouſand Piſtols and Carabines, and ſo many thouſand great Saddles, and ſo many Canons and of Morters for Granadoes, and of ſo much Powder and other warlike proviſions (bought, as wee are informed, with moneys raiſed upon the credits of the Jewels of the Crown, pawned or ſold to that purpoſe) were only intended as a Guard for his Maſteſties Perſon? But now ſince ſome of the warlike proviſions are arrived from beyond the Seas (which were long before preparing) and ſince his Maſteſty hath beſieged the Town of *Hull*, it appeares vvhat were his intentions from the beginning, vvhen he firſt raiſed Forces under colour of a Guard for his Perſon; and now at length in his late Proclamation hee hath proclaimed War againſt Sir *John Horham*, and all that adhere to him, that is the Parliament: And let all the

world judge if it be not high time for us to think of some meanes for our defence.

For the businesse of *Hull* which is said, to stick with us, it stuck faster upon those that were Advisers of his Majestie to that journey, whereby they have blowne a coal which is like to kindle a flame, that threatens us with a generall combustion. *And as to the question concerning the Earl of New-castle, we answered it indeed by a question, Which whether it have received a full Answer or no, wee leave it to every man to judge, but for that which is called, An imputation cast upon that Earl and insinuated to be a vile aspersiion continued by unknown hands and upon unknown and unimaginable grounds.* The hands wee had it from, were none but such as attested their hands with their Oaths, and we never knew that Depositions upon Oath were esteemed unknowne or un-imaginable grounds before: But whether the Accusation of the six Members of Parliament were not contrived by unknown hands, and upon unknown and un-imaginable grounds, let every Man judge.

Whereas it is objected against us, *That wee have received Petitions against things that are established by Law, and that we have allowed those Petitions to carry the style, and to seeme to carry the desires of Cities, Towns and Counties, when of either, (City, Town, or County) very few known or considerable persons have bin privy to such Petitions.* Wee acknowledge that wee have received Petitions for the removeall of things established by Law, and wee must say, and all that know what belongeth to the course and practice of Parliament, will say, that wee ought so to doe, and that both our Predecessours and his Majesties Ancestours have constantly done it, there being no other place wherein Laws that by experience may be found grievous and burthensome can be altered or repealed and there being no other due and legall way, wherein they which are aggrieved by them, can seek redress: And for the style of such Petitions as have bin received by us, We never allowed them any higher style then they brought unto us; Nor did ever make them seeme to carry the desires of more then of those whose desires they did appear to be, nor did they ever appear to carry the desires of Cities, Towns, or Countries, but they were always attested by great numbers of hands, and amongst them of persons considerable, not a few. And for the *Petition of the Gentlemen of Yorkshire, for the continuance of the Magazin of Hull, whether by the style of (The humble Petition of the Gentry and Commons of the County of York)* they meant only some of them, we know not, but under that style it came to us from very many and very good hands.

The sooner all his Majesties good Subjects understand. What is it meant by his Majesties Authority, signified by both Houses of Parliament, and by his other Courts of Justice: the sooner they will understand how little is meant by his Majesties Authority, signified privately under his hand or by his Proclamation.

tion, when they are contrary to Law and Common Right, as they always are when they are against the legall proceedings or judgments of any Court (much more of the highest Court) and by expresse Statutes are declared to be of no Authority: And that such Courts and other Officers of Justice must proceed to do right, notwithstanding any such signification under the privy Signet or under the great Seal it self; and it is high time now for the whole Kingdome to understand that his Majesties Authority is more in his Courts without his person, then in his person without his Courts; when the power of declaring the Law shall be denied to the high Court of Parliament in particular causes before them (for we have claimed it, we have exercised it no otherwise to be obligatory as a Judiciall Declaration of the Law) and shall be attributed to his Majesty to do it in generall by his Proclamation, without relation to a particular case and making his interpretation of the Law to be a Rule in all Cases, as in divers late Proclamations he hath done.

But how doth *the world now see in what miserable case his Majesty would have bin if he had passed our Bill concerning the Militia and that we would have raised all the Armes of the Kingdom to have beaten him from Yorke, and pursued him out of the Kingdom as we have kept him out of Hull*: Doth not all the World see rather that if his Majestie had passed the Bill concerning the *Militia*, his Majestie had bin at *London* by this time, consenting and agreeing with his Parliament to the general contentment of all his people and happinesse of all his Kingdoms. But although the Contrivers of that Declaration have no better opinion of the representative body of the whole Kingdome, then they use to expresse yet wee wonder they expressed no better an opinion of the whole Kingdom (in which they seem to place so great confidence) then to think they would have followed us in any Act of disloyalty against his Majestie. If we should have bin so wicked as to have led them on to do it: Have we not better grounds to believe that if we had let alone the Illegall Commissions of Lieutenancy, or should submit to the more Illegall and enslaving Commission of Array, those evill Counsellours would have by this time, or would not be longer ere they had beaten us out of the House of Parliament by force, as they perswaded his Majesty to come into the House of Commons by force to take away the Members thereof, Causelessly and groundlessly accused of Treason; and why must it be thought that we will employ his Majesties Magazin (which they will needs have to be taken from him) against him, because wee did not think it safe at that time to be employed at *Hull* without his Majesties Authority signified by both Houses of Parliament? May we not upon as good grounds suppose that the Malignant party, the evill Counsellors would needs keep it at *Hull* against the desire of both houses of Parliament, that they might employ it not against both houses of Parliament, but against a faction called both Houses of Parliament, as they suggest

unto his Majesty, that wee are like to inploy it against him, not against his Authority, and to kill the evill Counsellours, the Malignant Party: about his Majesty? May we not with better reason declare, that if it were employed to kill those evill Counsellours, that Malignant party about his Majesty; It would be for his Majesties good, and the publick good, then they may perfwade his Majesty, *That if it were employed to destroy both Houses of Parliament, it would be for the good of King and Kingdom, in delivering them from the Faction and Arbitrary Government of a Parliament?*

But we have made an interpretation of the Statute of the 25 of Edward the third, that would leave the King of England absolutely lesse provided for, then the meanest subject in the Kingdom? How doth that appeare? Because, Wee say it is Treason to destroy the Kingdom of England, as well as the King of England, and because vvee say, that the King of England hath not a power to destroy the Laws and People of England. And what is that interpretation of that Statute, that no learned Lawyer will set his hand to? that Treason may be committed against the Kings Authority, though not directed against his Person: Doe there want presidents or Book Cases to make this good, or is it not that they cannot see Wood for Trees, that look after Presidents to prove this, which at length is acknowledged in his Majesties Proclamation of the eighteenth of June? Is it then that interpretation of the Statute, that the raising of force in the mayntenance of his Majesties Authority, and of the Laws against those that would destroy both it and them, is no Treason, though such Acts of Traitors and Rebels should be in pursuance of his Majesties Personall Commands and accompanied with his presence? And have we cited no presidents to that purpose? What are those then of Alexander Archbishop of York, Robert de Leere Duke of Ireland, and the rest in the time of Richard the Second, which we caused to be published; whose leavying of Forces against the Authority of the Parliament, and to put to death divers principall Members of both Houses, by the Kings expresse command, which he promised to accompany: with his presence, was by two Acts of Parliament judged Treason; and the Act of such levied Forces to suppress them, was judged good service to the Common-wealth: These presidents are said to be grounded upon repealed Statutes, and we have indeed heard it said so twice, but we never heard the Statute that Repealed them cited once, and whether the Parliament of the eleventh of Richard the Second, was more a forced Parliament then that of the 21 of Richard the Second, which repealed the Acts thereof, and whether that of the first of Henry the Fourth, which repealed that of the 21 of Rich. the Second, and all the Acts thereof, & revived that of eleventh of Richard the second, and all the Acts made therein, was ever yet repealed, and consequently vvwhether those two Acts of the eleventh of Richard the Second, and the first of Henry the Fourth, doe not still stand in force none that

are acquainted with the Records and History of that time, can deny, or so much as doubt? But do we need presidents in this case? Is it not a known Rule in the Law, that the Kings illegall commands, though accompanied with his presence, do not excuse those that obey them? and how then shall it excuse Rebels and Traitors, and how shall it hinder the Kings Courts and Ministers, to proceed against them judicially, if they submit, or by force, if they make opposition with force? If the King might controule all the Courts in *Westminster Hall* and the high Court of Parliament it selfe, and make it good by force, what were become of the known legall Government of this Kingdom? or what a Jewell had wee of the Law, or what benefit by being governed according to Law, if all Laws might by force be overthrowne, and by force might not be upheld and maintained? Nay, by the Law of that Declaration, and of the Proclamation bearing date the eighteenth day of *June*, if all that which so falsely and scandalously is affirmed of his Majesty by the Rebels of *Ireland* were true, that they do all by his Majesties commands, and if his Majesty should, accompany such commands with his presence (as they do not spare for their own advantage in like manner to give out that he will) it were not lawfull for the whole representative body of the Kingdom to raise force for the suppressing of such force as they have raised, and such Acts as they have done. Without all doubt this is such an interpretation of that Statute, which no learned Lawyer will set under his hand.

For our Priviledges, it is a very great mistake to make the Cases of Treason, Felony, and breach of the Peace, the same with other Cases, because the Houses doe sometimes give way to proceedings against their Members: For although in some Cases only, wherein the priviledge of Parliament may seeme to be extended beyond the intention thereof, the Houses may give way to proceedings against their Members; yet they cannot give away the priviledges of their Members without their consents, at least they are not bound to do it, as in the Cases of Treason, Felony, and breach of the Peace, they are bound either to proceed against them themselves, if it be proper for the Parliament, or to suffer them to be proceeded against else-where, after they have bin satisfied of the Fact and the grounds of their Accusation; And for the absurdity of murders, and taking of purses, if we had said (as it is here suggested) *That no Member of either House of Parliament might be medled with, till the House whereof he is a member be acquainted with his Fact*, there might have bin some shew of an absurdity and inconvenience: But we said, he was not to be proceeded against, nor judged, and we will adde, nor taken away or detained from the service of the House, whereof he is a Member, untill such time as that House hath satisfaction concerning the Cause; But we never denied but that either by the Officers of Parliament, or any other Ministers of Justice, he might in such Cases be ar-

refled, To the intent only, That he may be brought to the Parliament, *Corpus enim causa*, and also detained in safe custody, till such time as he may be brought to the Parliament, but not to be proceeded against in any inferiour Court before such time as the Cause be heard in Parliament, and dismissed from it; And now we hope no man will be affraid of having his purse taken from him by Parliament men, between *London* and *Yorke*, notwithstanding our Declaration. We forbear such like odious suppositions in the person of a King: But by the Laws of that Declaration, *No force raised by him to any ends or purposes whatsoever, or in any manner howsoever exercised, may be opposed with force by any persons or Authority whatsoever. or by any means, or in any manner howsoever.* And this is the Doctrine that these men would have all the people to believe, *That by their Oaths of Supremacy and Allegiance, and by their Protestation they are bound to defend.* Whereas that which we affirmed to be a priviledge of Parliament, is so cleer and essentiall a priviledge of Parliament that the whole freedome thereof dependeth upon it; For who sees not that by this meanes, under false pretences of Crimes and Accusations, such and so many Members of both or either House of Parliament may be taken out of it, at any time, by any persons to serve a turn, and to make a major part of whom they will at pleasure? And as the grand Inquest of the whole Kingdom, should be (by this means) subject to the grand Inquest of one particular County; So the whole representative Body of the Kingdom, should be at the devotion of a *Middlesex* Jury; And therefore as the freedome of Parliament dependeth in a great part upon this Priviledge, and the freedome of this Nation upon the freedome of Parliaments: Wee have good reason to believe, That the people of *England* knowing their Lives and Fortunes are bound up in this bundle, will venture their Lives and Fortunes in this quarrell. For the Statute of the eleventh yeer of *Henry* the Seventh (to omit what we are said to declare, concerning the meannesse of his Majesties Person, and the mistakes in the understanding of the Statute of the five and twentieth of *Edward the Third*, which We have already sufficiently answered) We are told, *That we proceed in the Spirit of declaring to certifie his Majesties good Subjects, in the mistaking which neer 150 yeers, have bin received concerning that Statute.* And what is that deep and ancient sence of that Statute, that wee had so much need of the spirit of Revelation to discover the mistakings in it? That whosoever shall serve the King in his Wars in any case whatsoever, though it be to overthrow Religion, Laws, Liberties; and though it were to do whatsoever Acts of barbarous cruelties have bin done by the Rebels in *Ireland*, or what else wever can be imagined more horrid and inhumane (for, there is no case exempted) by vertue of this Statute he shall be free from all punishment: And this is the opinion that is said to be received concerning it for 150 yeers together. Certainly, we have need of a great deal of faith to believe it, and our Spirit of declaring, a large Spirit

Spirit also of suffering and slavery to submit unto it. And what was our interpretation of that Statute? Wee say (*That by serving of the King for the time being, was not meant of a Perkin Warbeck, or any that should call himselfe King, but such a one as was received for such by the Kingdom*, the Act whereof cannot be cleerly discerned but in Parliament (if there should be any question concerning it:) and can any man think that *Henry* the Seventh did mean that whosoever did follow *Perkin Warbeck* should be free from all crime and penalty? or needed any man to have asked the question, *whether his Majesty were not allowed and received by the Kingdom*? They that ask such a question are more to blame then they that would not affirme it, lest it should be thought to need an affirmation, it being a thing so notorious, that both in himself and in his Ancestours, he is and ought so to be received and allowed. And God be thanked the case is not now as it was at that time, when this Statute was made to secure the Subjects from that continuall uncertainty and danger they were exposed unto in respect of the different titles of *York* and *Lancaster*, the one prevailing one while, and the other another time, and therefore by this Statute it was provided, That whosoever should serve the King for the time being (what ever his title may prove) should be free from all crime and penalty whatsoever, then the Parliament had at that time received in the behalf of the Kingdome, hee must undoubtedly have bin accounted the King for the time being, and consequently the people secured in following him, though another and happily a better Title had bin set up against him (as if there had bin a true Duke of *York* living, a better might have bin set up against him, *Henry* the Seventh then his owne) wee say then, as wee said before if it be against reason and conscience that men should suffer, that guide themselves by the judgment of the highest Court, which is also the representative body of the whole Kingdom; and if by this Statute the Parliament is made Judge in the Question who is King, much more are they to be Judge in the Question what is the best service of the King and Kingdom, and they ought to be free from all crime and punishment that follow the judgment thereof upon the very grounds and reasons of this Statute, which wee doe agree, *That his Majesties good Subjects may read with comfort*, because it lays down a ground which delivers them from uncertainty in their obedience in the difficultest and highest Cases whatsoever. As for that which is said concerning a dark mist of words and urging over old Priviledges. Wee confesse we are left in a dark mist, for we understand not what it means.

To the Doctrines and Possions that are said to be contained in our Declaration, We answer to the first ;

That we did and do say, that every Court of Justice, and much more the high Court of Parliament hath a power of Jurisdiction, which in plain English is of declaring the Law in particular Cases in question before them, and that which is so declared by the high Court of Parliament, being the highest Court of Judicature, ought not afterwards to be questioned by his Majesty, or any of his Subjects; for that there lyeth no Appeale from them to any person or Court whatsoever, so that the right and safety both of King and People shall depend upon the Law, and the Law for its Interpretation upon the Courts of Justice, which are the competent Judges thereof, and not upon the pleasure & interpretation of private persons, or of publick in a private capacity.

To the second we Answer,

That we did and do say, that some Presidents ought not to be Rules, and no Presidents can be bounds to the proceedings of a Parliament, because some are such as ought not to be followed, and all may fall short, and be different from the present case and condition of things; And if this were not a Truth, in stead of doing what we please, we should be obliged to do whatsoever our Ancestours pleased to do, whether they did well or ill; And how different or unlike soever, their case and condition should be to ours.

To the third we Answer,

That we did and do say, That a Parliament may dispose of any thing where in the King or any Subject hath a right, in such a way as that the Kingdome may not be in danger thereby; And that if the King being humbly sought unto by his Parliament, shall refuse to joyn with them in such Cases, the representative Body of the Kingdom is not to sit still, and see the Kingdom perish before their eyes, and of this danger they are Judges, and Judges superiour to all others, that legally have any power of Judicature within this Kingdom; And for the consequence that is here inferred, we acknowledge it not, it is none of ours, neither did we speak any thing of the major part of both Houses at any times present, or by any wayes and meanes procured so to be, nor yet of the Members of both Houses absent, or by any ways and means procured so to be, though we had reason enough so to have done.

To the fourth we Answer;

We did not say, that no Member of either House ought to be medled withall for Treason, Felony, or any other crime, without the cause first brought before them, that they may judge of the Fact, and their leave obtained to proceed; but we did, and do say, that no Member of either House ought to be declared

or adjudged a Traytor, or proceeded against in any other Court or way then in Parliament, whereby hee may bee taken or detained from the service of Parliament, or the Parliament deprived of a member without their consent, but that hee may bee arrested in such cases, or detained *in ordine* to his appearance before the Parliament; and to the intent that hee may bee brought with his cause before the Parliament, wee did not, nor cannot deny.

To the fifth we Answer.

We did, and doe say, That the Sovereaign power doth reside in the King, and both Houses of Parliament; and that his Majesties negative voyce doth not import a liberty, for his Majesty to deny any thing as he pleaseth, though never so requisite and necessary for the Kingdome, and yet we did not, nor doe say, that such Bills as his Majestie is bound, both in Conscience and Justice to passe, shall not withstanding be Law without his consent, so farre are we from taking away his negative Voyce.

To the sixth we Answer, We did and doe say;

That the levying of Forces against the personall commands of the King, (though accompanied with his presence) and not against his Lawes and Authority, but in the maintenance thereof is not levying war against the King, but the levying of war against his Lawes and Authority, though not against his Person, is levying war against the King. And we believe no learned Lawyer will set his hand to the contrary, nor need any man to be learned in the Lawes to understand that Treason is not committed against the Kings Person, as he is a man, but as he is a King, and as his Person hath relation to his Office. Who knows not that it is no Treason to steale the Kings Horse, nor to make an entry, or commit a Riot upon his Land, but to saigne (which is to steale) his Signet or great Seale (because of the relation it hath to his Office) or to invade any part of his kingdome, as it is part of his Dominions, is Treason, And as Treason is not against the Kings Person, as it is voyd of all relation to his Office and Trust, so much lesse as it stands in a relation opposite and contrary thereunto; and therefore, as it hath relation to his Trust, so also to the discharge of that trust, that being the Cause, and indeed the onely cause, why the Law hath provided more for the protection of his Person, then of any other, because it hath placed in his Person a power to protect all other persons, and yet we did not say, or meane that no treason can be committed against the King, but when he is in the actuall discharge of his trust, no, nor when he is in the actuall violation of his trust, because the Act may either in the manner or in the measure exceed the bounds of a legall and necessary defence and opposition against the violation and breach of Trust and so fall to be either against the Kings Authority, or against his person, as it standeth invested with that authority.

rity, but if it exceed not these bounds in so farre as it is such, it is so far from having any thing of Treason in it, that it hath a great deale of dutie and loyalty in it to the King as King, and to the kingdome, in relation to, and for which he is King; *And for the power of judging of the discharge of his Majesties trust;* as it hath reference to a question of Treason, to say the Parliament hath power to judge of it, is no more then to say, That it hath power to judge in cases of Treason which inferiour Courts have, and the high Court of Parliament, as well as they in all cases, and in some cases above and beyond them.

To the seventh we Answer ;

That we neither did it, nor do say it, We never suffered that word of deposing the King to go out of our mouths, nor the thing to enter into our thoughts, nor can it be collected out of any thing that we have said: *And now, for the Propositions wherewith we are said to assault his Majesty, and endeavour to devest him of all his regall Rights and Dignities,* we doubt not but that we shal make it appeare to all the world, that what may seeme highest in our Propositions, hath been in effect asked and obtained by our Ancestors before us, and by our neighbours beside us ; and that we have more reason to aske it and to obtaine it then either the one or the other, and yet to testifie to all the world, how much wee desire peace, and to avoyd the miseries and confusion of a civill war, we have not, nor shall insist upon any thing but what we hold necessary for the preservation of the safetie and peace of the kingdome ; and for the security of our Religion and Liberties, and those good Laws which we already have, and hope further to obtain by the frequent meeting, and free sitting of Parliaments : and as we have been carefull to decline all appearance of any private respects in them to our selves, so having the honour of God and of his Majestie and the peace, freedome and prosperity of this kingdome chiefly before our eyes in these our propositions, and in all our actions, we rest assured that both God and man will abhor and abominate that monstrous and most injurious charge laid upon the representative body of this whole kingdome, *of designing the ruine, not only of his Majesties Person, but of Monarchie it selfe :* and we appeale to all the world, whether worse words then these can be given us? And whether we may not justly expect the worst actions that the malice and power of the malignant party about his Majesty can produce? And whether it be not high time for us to stand upon our defence, which nature teacheth every man to provide for; and this kingdom (unlesse it be very unnaturall, and very unmindfull of it selfe) cannot but afford to them whom it hath intrusted and by whom it is represented; And if the Major part of both Houses may sit free from force we doubt not, but that they will not onely make it good that they have done themselves and the whole kingdom right in that their Declaration, and offered no wrong, nor done any prejudice at all to his Majesty, but also be very sensible of the great indignity offered to the

the representative body of this whole kingdome by the contrivers of that Answer, and will make such persons (that delight to foule their own nests, and to cast dirt in the face of the kingdome,) instances of their exemplary justice, so soon as they shall bee discovered, and brand both them and their doctrine (whereof we will give a taste what it is in some particulars) *with the markes of their perpetuall scorne and indignation.*

This is the Doctrine of that Declaration, and these are the Positions of the contrivers of it.

1. **T**Hat the King, when he pleaseth, may declare the major part present of both Houses, a faction of malignant, schismaticall and ambitious persons, so that all Parliaments that have beene heretofore, and shall be hereafter, and all lawes made in them may by this meanes bee called in question at pleasure.
2. That his Majesty may declare what is the known law of the Land against the judgement of his highest Court, and consequently against all his Courts, so that the safety and right of King and people, and the Law it selfe, must depend upon his Majesties pleasure.
3. That the Parliament must doe nothing without a president; so the kingdome must perish if there be not a president for it's proper remedy.
4. That as the King hath a propriety in his Townes, Forts and kingdomes so he may dispose of them as he pleaseth, and the representative body of the whole kingdome may not intermeddle in the discharge of his Majesties trust, though by the advice of evill Councillors they see it diverted to the hazard of the publick peace and safety of the kingdome.
5. That his Majesty, or any other person may upon suggestions and pretences of Treason, Felony, or breach of the peace, take the members of Parliament out of either House of Parliament without giving satisfaction to the House whereof they are members, of the grounds of such suggestion or accusation, and without and against their consent, so they may dismember a Parliament when they please, and make it what they will, when they will.
6. That whosoever shall follow the King in his wars, be the case what it will, though it were to destroy Laws, Liberty, Religion it selfe, and the whole kingdome, yet he shall be free from all crime and punishment by the Statute of the 11. H. 7. and that this hath been the received sense and interpretation thereof for 150. yeeres together; and that on the other side to oppose by force any such force, though in the most legall way, and by authority of the representative body of the whole kingdome, is to levie war against the King, and treason within the Letter of the Statute of the 25. Edw. 3. so our Lands, Liberties, Lives, Religion, and Laws themselves (wherby all the Rights both of King and people are due:

due to them, and preserved for them) shall be at the sole will and pleasure of the Prince.

7. That the representative body of the whole kingdome is a faction of malignant, schismaticall and ambitious persons, whose designe is, and always hath been, to alter the whole frame of Government both of Church and State, and to subiect both King and people to their own lawlesse arbitrary power and government, and that they designe the ruine of his Majesties Person, and of Monarchie it selfe, and consequently that they are Traytors, and all the kingdome with them (for their Act is the Act of the whole kingdome) and whether their punishment and ruine may not also involve the whole kingdome in conclusion, and reduce it into the condition of a conquered Nation, no man can tell, but experience sheweth us, that successe often drawes men not onely beyond their professions, but also many times beyond their first intentions.

November 2. 1642.

* Ordered by the Lords and Commons assembled in Parliament, that this Remonstrance be forthwith printed and published.

J. Brown Cler. Parliamentorum.

FINIS.

By the King.

A Proclamation of His Majesties Grace, Favour, and Pardon, to the Inhabitants of His County of Wilts.

V**V** *Whereas We have taken notice that by the malice, Industry and Importunity of severall ill-affected and seditious persons in Our County of Wilts, very many of Our weake and seduced Subjects of that Our County have not only been drawn to exercise the Militia, under colour of a pretended Ordinance, without and against Our consent (a Crime of a very high nature, if We would strictly inquire therein) but have made Contributions of Plate, Money and Horses towards the maintenance of the Army now in Rebellion against Us; We doe hereby publish and declare, That We are graciously pleased to attribute the Crimes and Offences of Our said Subjects of that County to the Power and Faction of their seducers, who. We beleve, by Threats, Penances, and false Informations compelled and led them into these actions of unprofitableness and disloyalty towards Us And We doe therefore hereby offer Our free and gracious Pardon to all the Inhabitants of Our said County of Wilts, for all Offences concerning the premises committed against Us before the publishing of this Our Proclamation (except Sir Edward Hungerford, Sir Henry Ludlow, Sir John Evelin, and Walter Long Esquire) against all which We shall proceed according to the Rules of the*

Law,

Law, as against Traitors and Stirrers of sedition against Us, And to whom We doe hereby require all Our Officers and Ministers of Justice, and all Our loving Subjects whatsoever, to apprehend and cause to be kept in safe custody, till Our pleasure be further known. Provided that this Our Grace shall not extend to any person, who after the publishing this Our Proclamation shall presume by Loane or Contribution to assist the said Army of Rebels, to assemble and muster themselves in Armes without authority derived from Us under Our Hand, to enter into any oath of Association for opposing Us and Our Army, or to succour or entertaine any of the persons excepted in this Our Proclamation, or in Our Declaration of the 12. of August. But We must and doe declare, That whosoever shall henceforward be guilty of the premises, or of either of them shall be esteemed by Us as an Enemy to the publique peace, a person disaffected to Us, and to the Religion and Law of the Kingdome, and shall accordingly receive condigne punishment, of which We give them timely notice, that they may proceed accordingly at their perils.

Given at Our Court at Oxford, this second day of November, in the eighteenth year of Our Reigne.

Die Mercurii, 2. Novemb. 1643.

Whereas We the Lords and Commons have Ordered, That it be referred to the Committee for the safety of the Kingdom, to prepare Heads of an Humble Adresse unto His Majestie, for composing the present Differences and Distractions, and settling the Peace of the Kingdom; and to present them to the House.

To prevent all Misconstructions or Neglects, whereby our just Defence may be hindered, We doe Declare, That the Preparation of Forces, and all other necessary means for the Defence of the Protestant Religion, the Priviledges of Parliament, the Laws and Liberties of the Subject, shall be prosecuted with all vigour.

H. Elsyng, Cler. Parl. D. Com.

The late Letters from both Houses of Parliament, concerning their purpose of deliverie of a Petition to His Majestie: His Majesties Answer to those Letters, with His Safe Conduct.

For the Right Honourable the Lord Viscount Falkland Principall Secretary to His Majestie, or in his absence for M. Secretary Nicholas, or any of the Lords the Peeres attending His Majesty.

Grey of Wark.

My Lord,

I am commanded by the Lords the Peeres and Commons assembled in Parliament, to address by you their humble desires to his Majesty, that Hee

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would

would be pleased to grant His safe Conduct to a Committee of Lords and Commons to passe and to repasse unto His Majestie, that are directed to attend Him with an humble Petition from His Parliament. This being all that I have in Commission, I rest,

Westminster this third
of November
1642.

Your assured friend and servant
GREY of WARKE
Speaker of the House of Peeres
pro tempore.

To the Right Honourable the Lord Grey of Warke Speaker of the
House of Peeres pro tempore.

My Lord,

HIS Majestie hath commanded me in answer of your Lordships of the third present, to signifie to you, That he alwayes hath been and is still ready to receive the humble Petition of either or both Houses of Parliament, and shall take order, that a Committee of Lords and Commons may passe and repasse to him, with the Petition of both Houses as is desired, so as the said Committee consists of Persons that have not been by His Majesty either by name declared Traitors, or otherwise in some of his Declarations or Proclamations excepted against by name, with his intention declaring to proceed against them as Traytors; And so as the said Committee come not with more then thirty persons in their Company, and give notice before hand of their coming. And for the said Committees better security, His Majestie upon the receipt of their names will give a safe conduct for them under His Hand and Signet. This being all I have in command to deliver to your Lordship, I humbly rest.

Your Lordships most humble Servant,

Reading Novemb. 4.

EDWARD NICHOLAS.

For the Right Honourable the Lord Viscount Falkland,
Principall Secretary to His Majesty, or in his absence to any of the Lords, the Peers
attending His Majesty.

GREY of WARKE.

My Lord,

I Have received a Command from the Lords and Commons in Parliament to send you the names of two Lords, that is to say, Algernon Earle of Northumberland,

berland, Philip Earle of Pembroke and Montgomery, and of foure Members of the House of Commons, M. Perpoint, the Lord Wenman, Sir John Evelin of Wilts, and Sir John Hippisly, being the Committees of both Houses appointed to attend His Majesty with an Humble Petition directed from them to His Majesty, desiring your Lordship will be pleased to move His Majesty to send a safe Conduct to passe and repasse under His Royall Hand and Signet for the severall persons afore mentioned. This being all that I have in Commission, I rest.

Your Lordships friend and servant

GREY OF WARKE

Speaker of the House of Peeres
pro tempore.

Westminster this fiftih
of November
1642.

To the Right Honourable the Lord Grey of Warke Speaker of the
House of Peeres pro tempore.

My Lord,

YOur Lordships Letter of the fiftih of November, I shewed His Majesty, who hath expresly commanded me to return your Lordship this Answer in these words, that His Majesty hath sent (which I have inclosed) a safe Conduct under his Royall hand and Signet for the Earle of Northumberland and the Earl of Pembroke and Montgomery, M. Perpoint, the Lord Wenman, and Sir John Hippisly, but hath not admitted Sir John Evelin of Wilts to attend him, as being included in the Exception made by his Majesty in the Letter sent by M. Secretary Nicholas to your Lordship of the foure, as by the inclosed Proclamation Proclaimed at his Majesties court at Oxford, and sent with a Writ sealed into the County of Wilts, will appeare. His Majesty hath likewise commanded me to signifie to your Lordship, that in case the Houses shall think fit to send any other person in the place of Sir John Evelin, that is not included in the Exception made in M. Secretaries letter before mentioned, His Majesty hath commanded all his Officers, Souldiers and other Subjects to suffer him as freely to passe and repasse as if his name had been particularly comprised in this safe Conduct. This being all that I have in Commission, I rest

Your Lordships humble servant,

FALKLAND.

Reading this sixth of
November. 1642.

His Majesties safe Conduct.

OUr Will and pleasure is, and We doe hereby strictly charge and Command all the Officers and Souldiers of our present Army, and all our Ministers
A a a a a and

and Subjects whatsoever to suffer Our right trusty and right Well-beloved Cousins and Counsellours Algernon Earle of Northumberland, and Phillip Earle of Pembroke and Montgomey, and Our right trusty and right Well-beloved Cousin Thomas Lord Viscount Wenman, and Our trusty and Well-beloved William Perpoint Esquire, and Sir John Hippisly Knight (together with their attendants not exceeding the number of thirty) to passe and repasse to and from Us, they being now sent to attend Us With a Petition from both Our Houses of Parliament. This Our safe Conduct under Our Royall Hand and Signet, We charge and Command them and every of them punctually to observe and obey, as they will answer the contrary at their uttermost perills.

Given at Our Court at Reading this
sixth of November. 1642.

Die Dominico, Sexto Novemb. 1642.

IT is this day ordered by the Lords and Commons in Parliament, That all Colonels, Captains, and other Officers, and Souldiers, under the Command of his Excellency the Earle of Essex, that are now in or neer the City of London, do forthwith upon pain of death repaire to their colours, and that no Officer or Souldier presume to depart from their colours without the expresse leave of their Generall under his hand; And that the Watches in their severall places, in and about the City of London, and all other His Majesties Officers, shall apprehend such Souldiers, and Officers, as shall offer to depart contrary to this Order; And that the Lord Major of the City of London, and Liberties thereof, and the Lord Lieutenants of the County of Middlesex and Surrey, or their Deputies, within their severall Limits, cause this Order to be published by beating of the Drum.

John Browne, Cler. Parliament.

A Declaration of the Lords and Commons assembled in Parliament, for the encouragement of all such Apprentices as have or shall Voluntarily Lift themselves to go in this present Expedition, for the defence of Religion, the preservation of this city, the King and Kingdom, under the command of his Excellency the Earle of Warwick.

WHereas in times of common danger and necessity, the Interest of private persons ought to give way to the publick; It is Ordained and Declared, by the Lords and Commons in Parliament, that such Apprentices as have bin, or shall be Lifted to serve as Souldiers, for the defence of the Religion, and Liberty of the Kingdome, His Majesties Royall person, the Parliament, and the city of London; their Sureties, and such as stand engaged for them, shall be secured against

against their Masters, their Executors, Administrators, from all losse and inconvenience, by Forfeiture of Bonds, Covenants, Infranchisement, or otherwise; And that after this publick service ended, the Masters of such Apprentices shall be commanded, & required to receive them again into their Service, without imposing upon them any punishment, losse, or prejudice for their absence, in the defence of the Common-wealth. And the Lords and Commons doe further Declare, That if it shall appeare, that the Masters of such Apprentices have received a ny considerable losse by the absence of their Apprentices, they will take care that reasonable satisfaction shall be made unto them, out of the publick Stock of the Kingdom, according to Justice and indifferencie.

Novemb. 7. 1642.

Ordred, that this Declaration and Order bee forthwith Printed and published.

John Brown Cler. Parliament.

The Declaration of the Lords and Commons assembled in the Parliament of England to the Subjects of Scotland, &c.

WEE the Lords and Commons assembled in the Parliament of England, considering with what Wisdom and publick Affection our Brethren of the Kingdom of Scotland did concur with the endeavours of this Parliament, and the desires of the whole Kingdom, in procuring and establishing a firm peace and amity between the two Nations; and how lovingly they have since invited us to a nearer and higher degree of union, in matters concerning Religion and Church-government, which we have most willingly and affectionately embraced and intend to pursue; Cannot doubt but they will with as much forwardnesse and affection concur with us in settling peace in this Kingdom, and preserving it in their own; that so we may mutually reap the benefit of that amity and alliance, so happily made and strongly confirmed betwixt the two Nations. Wherefore as we did about a yeer since, in the first appearance of trouble then beginning amongst them, actually declare, That in our sense and apprehension of the Nationall alliance betwixt us, wee were thereby bound to apply the authority of Parliament, and power of this Kingdom to the preservation and maintenance of their peace. And seeing now that the troubles of this Kingdom are grown to a greater height, and the subtil practice of the common Enemy of the Religion and Liberty of both Nations, do appear with more evidence, strength, and danger then they did at that time, we hold it necessary to declare; That in our judgment the same obligation lies upon our brethren by the afore mentioned Act, with the power and force of

that Kingdom to assist us in repressing those amongst us, who are now in Arms, and make warre not only without consent of Parliament, but even against the Parliament, and for the destruction thereof.

Wherefore we have thought good to make known to our Brethren, that His Majesty hath given Commission to divers eminent and known Papists, to raise forces, and to compose an Army in the North, and other parts of this Kingdom, which is to joyn with divers forraign forces intended to be transported from beyond the Seas, for the destruction of this Parliament, and of the Religion and Liberty of the Kingdom. And that the Prelaticall part of the Clergy and their adherents have likewise invited His Majesty to raise another Army; which in His own Person he doth conduct against the Parliament, and the city of *London*, Plundering and Robbing sundry well-affected Towns within their power. And that in prosecution of their malice, they are so presumptuous and predominant of His Majesties resolutions, that they forbear not those outrages in places, to which His Majesty hath given His Royall word and protection. A great cause and incentive of which malice, proceeds from the design they have to hinder the Reformation of Ecclesiasticall government in this Kingdom, so much longed for by all the true lovers of the Protestant Religion. And hereupon we further desire our Brethren of the Nation of *Scotland*, to raise such forces as they shall judge sufficient for the securing the peace of their own borders, against the ill-affected persons there, as likewise to assist us in suppressing the Army of Papists and Forraigners, which, as we expect, will shortly be on foot here, and if they be not timely prevented, may prove as mischievous and destructive to that Kingdom, as to our selves.

And though we seek nothing from His Majesty that may diminish His just Authority or Honour, and have by many humble Petitions endeavoured to put an end to this unnaturall Warre and Combustion in the Kingdome; and to procure His Majesties Protection and Security for our Religion, Liberty and Persons, (according to that great trust which His Majesty is bound to by the Lawes of the Land; and shall still continue to renew our Petitions in that kind. Yet to our great grief we see the Papisticall and malignant Counsell so prevalent with His Majesty, and His person so engaged to their power, that we have little hope of better successe of our Petitions then we formerly had, and are thereby necessitated to stand upon our just defence; and to seek this speedy and powerfull assistance of our Brethren of *Scotland*, according to that Act agreed upon in the Parliament of both Kingdomes, the common duty of Christianity, and the particular interests of their owne Kingdom.

To which we hope God will give such a blessing, That it may produce the preservation

preservation of Religion, the Honour, Safety, and Peace of His Majesty, and all His subjects; and a more strict conjunction of the counsels, designs and endeavours of both Nations, for the comfort and reliefe of the Reformed Churches beyond Sea.

7. Novemb. 1642.

Hen. Elsyng.
Cler. Par. D. Com.

John Brown,
Cler. Parl.

*His Majesties Message to the Lords of His Privy Councell of Scotland,
upon the aforesaid Occasion.*

Right Trusty, and Right Welbeloved Cousins and Councillors, and Right Trusty and Welbeloved Councillors; We greet you well. We have lately seene a Paper presented to Us by the Earle of *Linsey*, as a Declaration of the Lords and Commons assembled in the Parliament of *England*, of the seventh of November, to Our Subjects of Our Kingdome of *Scotland*; which after many high taxes of Us and Our Government, very earnestly invites, and in a manner challenges Assistance, from that Our native Kingdome, of men and armes for making a War against Us, making a claime to that Assistance, by vertue of the late Act of Pacification, to the which (out of Our desire to make a perpetuall union betweene our two Kingdomes, for the happinesse of both, and by it the more firmly to establish Our owne Greatnesse and just power,) We cheerfully consented.

As We are at Our soule afflicted, That it hath been in the Power of any factious, ambitious, and malicious persons, so far to possess the hearts of many of Our subjects of *England*, as to raise this miserable Distemper and Destruction in this Kingdom, against all Our real Actions and Endeavours to the contrary; so We are glad, That this rage and fury hath so far transported them, that they apply themselves in so grosse a manner to Our subjects of *Scotland*, whose experience of Our Religion, Justice, and Love of Our people will not suffer them to beleeve those horrid scandalls laid upon Us; and their Affection, Loyalty, and Jealousie of Our Honour, will disdain to be made Instruments to oppress their Native Sovereigne, by assisting an odious Rebellion.

Wee have from time to time acquainted Our subjects of that Kingdome, with the Accidents and Circumstances which have disquieted this; how (after all the Acts of Justice, Grace, and Favour performed on Our part, which were, or could be desired to make a people compleatly happy,) We were driven by the force and violence of rude, and tumultuous Assemblies, from Our
City

City of *London*, and Our two Houses of Parliament: How attempts have been made to impose Lawes upon Our subjects without Our consent, contrary to the Foundation and Constitution of this Kingdom. How Our Forts, Goods, and Navy were seized and taken from Us by force, and imployed against Us: Our Revenue and ordinary subsistence wrested from Us. How We have been pursued with scandalous and reproachfull language; bold, false, and seditious Pasquils, and Libels publicly allowed against Us; and been told that We might, without want of modesty and duty, be deposed. Now after all this (before any force raised by Us) an Army was raised, and a Generall appointed to lead that Army against Us, with a Commission to kill, slay, and destroy all such who should be faithfull to Us. That when We had been by these means compelled with the assistance of Our good subjects to raise an Army for Our necessary defence, We sent divers gracious Messages, earnestly desiring that the calamities and miseries of a Civill war might be prevented by a Treaty, and so We might know the grounds of this mis-understanding. How We were absolutely refused to be treated with: and how at last the Army (raised, as was pretended, for the defence of Our Person) was brought into the field against Us, gave Us Battell, and (though it pleased God to give Us the Victory) destroyed many of Our good subjects, with as imminent danger to Our owne Person and Our Children, as the skill and malice of desperate Rebels could contrive: of all which and the other Indignities which have been offered Us, We doubt not the Duty and Affection of Our Scottish subjects will have so just a resentment, that they will expresse to the world the sense they have of Our sufferings. And Our good subjects of *Scotland* are not, Wee hope, so great strangers to the affaires of this Kingdome, to beleieve that this misfortune and distraction is begot and brought upon Us by Our two Houses of Parliament, (though in truth no unwarrantable Action against the Law can be justified even by that Authority.) They will know how the Members of both Houses have been driven thence, in so much that of above five hundred Members of the House of Commons, there are not now there above eighty, and of above one hundred of the House of Peeres, not above fifteene or sixteene. All which are so awed by the multitude of Anabaptists, Brownists, and other Persons, desperate and decayed in their Fortunes, in and about the City of *London*, that in truth their Consultations have not the freedome and Priviledge which belong to Parliaments.

Concerning any Commissions granted by Us to Papists to raise Forces, We must refer Our good subjects to a Declaration lately set forth by Us upon the occasion of that Scandall; which We send together with this; and for Our owne true and zealous Affection to the Protestant Religion, (the Advancement whereof Our Soule desires) We can give no other Instance, then
Our

Our constant practice, on which malice it selfe can lay no blemish; and those many Protestations We have made in the sight of Almighty God, to whom Wee know Wee shall be dearely accomptable, if Wee faile in the observation.

For that scandalous Imputation of Our Intention of bringing in Forraigne Forces, as the same is raised without the least colour or shadow of reason, and solemnly disavowed by Us in many of Our Declarations; so there cannot be a clearer Argument to Our Subjects of *Scotland*, that We have no such thought, then that VVe have hitherto forborne to require the Assistance of that Our native Kingdome, from whose Obedience, Duty, and Affection VVe should confidently expect it, if VVe thought Our owne Strength here too weake to preserve Us; and of whose Courage and Loyalty VVe shall look to make use, before VVe shall think of any Forraign Ayde to succour Us. And VVe know no reasonable or understanding man can suppose Our good Subjects of *Scotland* are obliged, or enabled by the late Act of Parliament in both Kingdomes, to obey the Invention which is made to them by this pretended Declaration; when it is so evidently provided for by that Act, That as the Kingdome of *England* shall not make war against the Kingdome of *Scotland*, without consent of the Parliament of *England*, so the Kingdom of *Scotland* shall not make war against the Kingdom of *England*, without the consent of the Parliament of *Scotland*: and when they have alwayes declared themselves so carefull of Our Honour, Safety, and just Rights, which now undergoe so great violation.

This VVe have thought fit to say upon occasion of this late Declaration, and doe commend it to you the Lords of Our Privy Councell of Our Kingdome of *Scotland*, to be communicated and published to all Our loving Subjects there; and if the grave Counsell and Advice, which you derived hither by your Act of the two and twentieth of *April* last, had been followed here, in a tender care of Our Royal Person, and of Our Princely Greatness and Authority, then would not this face of confusion have appeared, which now threatens this Kingdom: And therefore VVe require you to use your utmost Endavors to informe Our Subjects of that Our Kingdom of the truth of Our Condition, and that you suffer not the scandals and imputations laid on Us, by the malice and Treason of some men, to make any impression in the minds of Our people, to the lessening or corrupting their affection and loyalty to Us; but that you assure them the hardnesse We now undergoe, and the armes We have been compelled to take up, are for the defence of Our Person, and Safety of Our Life, for the maintenance of the true Protestant Religion, for the preservation of the Lawes, Liberties, and Constitution of this Kingdome, and for the just Priviledges of Parliament: and Wee look no longer for the blessing of

Heaven, then We endeavour the defence and Advancement of all these: And We doubt not a dutifull Concurrence in Our subjects of *Scotland*, in the care of Our Honours and just Rights, will draw downe a blessing upon that Nation too.

CHARLES Rex.

OUR expresse pleasure is, That this Our Declaration be published in all Churches and Chappels within Our Kingdome of England and Dominion of Wales, by the Parsons, Vicars, or Curates of the same.

Die Lunæ 7. November, 1642.

WHEREAS in these times of publique danger and distraction, there is a recourse unto the City of London, of divers persons that are come into the said City and Suburbs thereof to reside, and have taken houses or lodgings for their habitations, being strangers and altogether unknowne how they stand affected; It is therefore Ordered by the Commons in Parliament, that the Lord Major of the said City, shall cause a generall search and enquiry to be made from time to time throughout the said City and Suburbs thereof, and to take speciall notice of the said persons and their attendants, and of their names; and for their better discovery how they stand affected, shall tender unto them the Propositions for Horse, money, or Plate, and to take their subscriptions, and to informe himselfe whether they doe make their payments accordingly into the Guild Hall of the said City; And to returne the names of such as cannot give a good account of their coming to the said City or Suburbs thereof, or that should refuse to subscribe to the said Propositions, according to their severall estates and qualities, that some further course may bee forthwith taken by this House in that behalfe.

Hen. Elfyng, Cler. Parl. D. Com.

Die Mercurii 9. Novemb. 1642.

A Declaration of the Lords and Commons in Parliament; concerning the Regulating of great inconveniences in his Excellencies army.

WHEREAS it is found, that great inconveniences have ensued for want of a strict and severe Discipline, to have been observed in the Army now raised by Authority of Parliament, under the command of Robert Earle of Essex. And for that the Lawes and Ordinances by him set forth for the government of the said Army, have not been put in execution: It is now ordained and declared by the Lords and Commons in Parliament assembled, That from henceforth the Officers and Souldiers of the said Army may not expect any further forbearance of such punishments to be inflicted on them for any their offences.

shall be due unto them by the said Lawes and Ordinances. But that the Lord Generall may, and ought to punish them by death, or otherwise, according to their demerits.

Die Mercurii 9. Novemb. 1642.

An Order of the Commons assembled in Parliament, &c.

It is this day Ordered by the Commons assembled in Parliament, That all such Souldiers as have been constant in service in the Army, under the Command of the Earle of Essex, and have not deserted that service, and shall upon Proclamation made, repaire to their Colours at the time appointed, or Within an houre after, shall have bestowed upon them at the generall Randevouz, every foot-souldier halfe a crowne, and the horse-souldiers five shillings a piece, over and above their pay, as an acknowledgement from this House, of their good service, and for their further encouragement.

And it is further Ordered, That the Committee for the safety of the Kingdome, doe grant out their Warrants to Sir Gilbert Gerard, Treasurer at Wars, to issue out these moneyes accordingly.

Ordered that this Declaration and Order bee forthwith printed and published.

Hen. Elfyng, Cler. Parl. D. Com.

A Declaration of the Lords and Commons assembled in Parliament: Concerning the late valorous and acceptable Service of his Excellency, Robert Earle of Essex, to remaine upon Record in both Houses, for a marke of Honour to his Person, Name, and Family, and for a Monument of his singular Vertue to Posterity.

THE Lords and Commons assembled in Parliament, having upon mature deliberation and assured confidence in the Wisdome, Courage, and Fidelity, of Robert Earle of Essex, chosen and appointed him Captain Generall of the Forces raised by authority of Parliament, for the defence of the true Protestant Religion, the King, Parliament, and Kingdome, now in great danger, do find that the said Earle hath managed this Service of so high Importance, with so much care, valour, and dexterity, as well by the extreamest hazard of his life, in a bloody Battell, neare Keinton in Warwickeshire, as by all the Actions of a most excellent and expert Commander in the whole course of this Imployment, as doth deserve their best acknowledgement; And doe therefore

Declare and publish, to the lasting Honour of the said Earle, the great and acceptable Service which he hath herein done to the Common-wealth, and shall be willing and ready upon all Occasions to expresse the due sence which they have of his merit, by assisting and protecting him, and all others employed under his Command in this Service, with their lives and fortunes to the uttermost of their power. This to remaine upon Record in both Houses of Parliament, for a marke of Honour to his Person, Name, and Family, and for a Monument of his singular vertue to posterity.

Die Veneris, 11. Novemb. 1642.

Ordere*d by the Lords and Commons assembled in Parliament, that this Declaration shall be forthwith printed and published.*

John Browne Cler. Parliament.

Die Veneris, 11. Novemb. 1642.

IT is this day Ordered by the Lords and Commons in Parliament Assembled, that a search be made in the City of London and Suburbs thereof, and Westminster, Southwarke, and places adjacent, for all Officers and common Souldiers, belonging to the Army, under the Command of his Excellency, the Earle of Essex, and that they apprehend all such as they shall find, and bring them forthwith to the Palace-yard at Westminster, that they may bee sent thence to the Army. And it is further Ordered, that if it shall be found, that any Alehouse-keepers, or other House-holder, shall presume to harbour any of the said souldiers, after to morrow at nine of the clocke, that they shall be forthwith sent for to the Parliament, to answer their misdemeanour. And it is further Ordered, that this Order shall be published by beating of the Drum in the City and other places aforesaid, and such Officers or Souldiers, as shall be found here, after to morrow from their Colours, shall bee sent to the Lord Generall to receive Marshall law for their offence; and the Lord Major of the City of London is desired to give command, that this Order be published by beating of the Drum in the City and Suburbs thereof, and the Bailiffes of Westminster, and the Captaines of the Trained Bands of Saint Martins in the Fields, Southwarke, and other places about London, are required likewise forthwith to publish the same by beating of the Drum, as aforesaid.

John Browne Cler. Parliament.

His Majesties Declaration to all His loving Subjects; shewing His true Intentions in advancing lately to Brainford.

THough Our Reputation bee most deare to Us, and especially in those cases wherein the truth of Our most solemne Professions (and by consequence of Our Christianity) is questioned, yet it is not onely for the Vindication of that, and to cleare Our Selfe from such Aspersions, but withall to preserve Our Subjects in their just Esteeme of, and Duty to Us, and from being engaged into Crimes and Dangers by those malicious reports, so spitefully framed, and cunningly spread against Us, concerning Our late advancing to *Brainford*, That We have resolved to publish this Our following Declaration.

AT *Colebrooke*, on Friday the eleventh of November, Wee received a Petition from both Our Houses of Parliament, by the Earle of *Northumburland*, the Earle of *Pembrooke* and *Montgomery*, the Lord *Wenman*, Master *Perpoint*, and Sir *John Hippisly*: And indeed Wee were well pleased to see it so much liker to a Petition, then the other Papers Wee had often of late received under that Name, and returned to it the next day so gracious an Answer, that Wee assure Our selves could not but be very satisfactory to all that were truly lovers of Peace. The copies of both doe here follow.

To the Kings most Excellent Majesty.

The humble Petition of the Lords and Commons now assembled in Parliament.

WE Your Majesties most loyall Subjects, the Lords and Commons in Parliament assembled, being affected With a deepe and piercing sense of the miseries of this Kingdome, and of the dangers to Your Majesties Person, as the present Affaires now stand, and much quickned therein With the sad consideration of the great effusion of Bloud at the late Battell, and of the losse of so many eminent Persons: And further, weighing the addition of losse, misery, and danger to Your Majesty and Your Kingdome, which must ensue, if both Armies should againe joyne in another Battell, as Without Gods especiall Blessing, and Your Majesties concurrence With Your House of Parliament, Will not probably bee avoided.

Wee cannot but belceve, that a futable Impression of tendernesse and
Bbbbb 3 compassion

compassion is wrought in Your Majesties Royall Heart, being Your selfe an eye-witnesse of the bloody and sorrowfull destruction of so many of Your Subjects; And that Your Majesty doth apprehend what diminution of Your owne Power and Greatnesse will follow, and that all Your Kingdomes will thereby be so weakened, as to become subject to the attempts of any ill-affected to this State. In all which respects we assure our selves, that Your Majesty will be inclined graciously to accept this our humble Petition, that the misery and desolation of this Kingdom may be speedily removed and prevented. For the effecting whereof, we most humbly beseech your Maiesty to appoint some convenient place, not farre from the City of London, where Your Maiesty will be pleased to reside, untill Committees of both Houses of Parliament may attend Your Maiesty with some Propositions for the removall of these bloody Distempers and Distractions, and setting the State of the Kingdom, in such a manner, as may conduce to The preservation of Gods true Religion; Your Majesties Honour, Safety and Prosperity; and to The Peace, Comfort, and Security of all Your People.

His Maiesties Answer to the aforesaid Petition.

WE take God to witnesse how deeply We are affected with the miseries of this Kingdom, which heretofore We have stroven, as much as in Us lay to prevent; it being sufficiently known to all the world, That as We were not the first that took up Arms, so we have shewed Our readinesse of Composing all things in a fair way by Our severall offers of Treaty, and shall be glad now at length to find any such inclinations in others: The same tendernesse to avoid the Destruction of Our Subjects (whom We know to be Our greatest strength) which would alwayes make Our greatest Victories bitter to Us, shall make Us willingly hearken to such Propositions whereby these bloody distempers may be stopped, and the great distractions of this Kingdom settled, to Gods glory, Our Honour, and the welfare and flourishing of Our People; And to that end shall reside at Our own Castle at *Windfore* (if the Forces there shall bee removed) till Committees may have time to attend Us with the same (which, to prevent the Inconveniencies that will intervene, wee wish bee hastened) and shall bee ready there (or if that bee refused Us) at any place where We shall be, to receive such Propositions as aforesaid, from both Our Houses of Parliament. Doe you your duty; We will not be wanting to Ours; God of his mercy give a Blessing.

BUT the same night after the Messengers were gone, certaine information was brought unto Us, That same day the Earle of *Essex* had drawne his forces with great store of Ordnance out of *London* towards Us, upon which a Councell of Warre being present, and Wee having there considered, upon debate, Our present condition, That being already almost surrounded by his forces, some at *Windsore*, some at *Kingstone*, and some at *Alton*, If Wee suffered the remainder to possesse *Brainford*, We should be totally hemmed in, and Our Army deprived of all convenience of either moving or subsisting. Yet how necessary soever it appeared, We could not obtaine Our owne consent to advance towards *Brainford*, and either prepossesse it, or dispossesse them, till Wee had satisfied Our selves that it was as lawfull as necessary, and fully weighed all, that not onely reason, but malice it self (which Wee knew to bee very watchfull upon Our Actions) could object against it. Wee considered first that it could not reasonably bee esteemed an aversion from Peace, and an intention to interrupt the Treaty then in expectation; Since on the other side Wee had cause to believe by the former rejection of Our offers of Treaty, when We were supposed to be in no condition of strength, That if We would not thus preserve Our Selves from being so encompassed as to come into their powers, the very possibility of a Treaty would immediately vanish. Wee considered next, that much lesse could it be interpreted any breach of Faith, since willingness to receive Propositions of Treaty was never held to amount to a suspension of Arms; Since otherwise We must (because mention of a Treaty had been once made) by the same Logick have been bound not to hinder them to encompass Us on all parts to *Colebrook Towns end*; Since no word to that purpose (of any suspension) was in Our Answer; Nay, since in that (by wishing their Propositions might be hastned, to prevent the inconveniences which would intervene) We implied, that by this Arms were not suspended; And since their own Votes of proceeding vigorously, notwithstanding the Petition, and their own actions, in sending after their Messengers great store of forces with Ordnance so neare to Us (having before girt Us in on all other parts, and sent men and Ordnance to *Kingstone* after the safe conduct asked of Us) implied the same.

Being resolved upon these Reasons, That this advancing was necessary and just, Wee were not yet satisfied till Wee had indeavoured the same day (though the interruptions of shooting stopt up the way till the next) to satisfy Our Parliament and People of the same, and that Peace was still Our desire, We to that end directed a Message by *John White* Esquire, which was so received, that his danger of being put to death for bringing it, and the imprisonment of him and the Trumpeter that went with him in the Gatehouse, shewed

shewed that the very Law of Nations was by some no more considered then all other Lawes had been before. A Copy of which Message hereafter followes, to shew how little temptation the matter of that gave them for such an usage.

His Majesties Message of the 12. of November.

Whereas the last night, being the eleventh of *November*, after the departure of the Committee of both Our Houses, with our gracious Answer to their Petition, Wee received certaine Information, (having till then heard nothing of it, either from the Houses, Committee or otherwise) That the Lord of *Essex* had drawn his Forces out of *London* towards Us, which hath necessitated Our sudden Resolution to march with Our Forces to *Brainford*; Wee have thought hereby fit to signifie to both Our Houses of Parliament, That Wee are no lesse desirous of the Peace of the Kingdome, then Wee exprest in Our aforesaid Answer; The Propositions for which Wee shall willingly receive where ever Wee are, And desire (if it may be) to receive them at *Brainford* this night, or early to morrow morning; That all possible speed may be made in so good a worke, and all inconveniencies, otherwise likely to intervene, may be avoided.

And to justifie yet further, that Our intention was no other then was here profest, as soon as Wee were informed that the Earle of *Essex* his Forces were departed from *Kingstone*, before any appearance or notice of further Forces from *London*, (Our end of not being inclosed being obtained) Wee gave orders to quit *Brainford*, and to march away, and possesse that place.

Wee cannot but make one Argument more of the truth of Our Profession, that this was all Our end, and that Wee had not the least thought, by so advancing, to surprize and sack *London*, (which the malignant Party would intuse into that Our City) And that is, That probably God Almighty would not have given such a Blessing to Our journey, as to have assisted Us so both by Land and Water, as with lesse then a third part of Our Foot, and with the losse but of ten men, to beat two of their best Regiments out of both *Brainfords*, for all the great advantage of their works in them, to kill him who commanded in chief, and kill and drown many others, To take five hundred Prisoners, more Arms, eleven Colours,

Colours, and good store of Ammunition, fifteen pieces of Ordnance, (whereof Wee sunk most that Wee brought not away) and then unfought with, and unoffered at, nearer then by Ordnance, to march away, notwithstanding the great disadvantage of our Forces by the difficulties of the Passages, if Hee, who is the Searcher of all hearts, and Truth it selfe, had not known the truth of our Professions, and the innocency of Our heart, and how farre Wee were from deserving those horrid Accusations of Falshood, and Treachery cast so point blank upon Our own Person, that it would amaze any man to see them suffered to bee printed in Our City of *London*, if any thing of that kind could bee a wonder, after so many of the same, and how really they desire Accommodation, who upon this have Voted they will have none.

These Our Reasons for this Action, This Our satisfaction sent for it, and this blessing of God upon it, will (Wee doubt not) cleer Us to all indifferent persons both of the Jesuiticall Counsells, and the personall Treachery, to which some have presumed so impudently to impute it; And God to blesse Our future Actions, as Wee have delivered the truth of this.

*The Answer of both Houses of Parliament to His Majesties
Message of the twelfth of November.*

TO Your Majesties Message of the twelfth of this Moneth of *November*, VVe the Lords and Commons in Parliament doe make this humble Answer; That this Message was not delivered to us till Munday the fourteenth. VVe thought it a strange Introduction to Peace, that Your Majesty should send your Army to beat us out of our Quarters at *Brainford*, and then appoint that place to receive our Propositions, which, yet it plainly appears, Your Majesty intended not to receive, till You had first tryed, whether You could break through the Army raised for the defence of this Kingdom and Parliament, and take the City, being unprovided and secure in expectation of a fair Treaty made to secure the City. If herein Your Majesty had prevailed, after You had destroyed the Army, and mastered the City, it is easie to imagine what a miserable peace we should have had, and whether those courses be futable to the expressions Your Majesty is pleased to make in Your Answer to our petition of Your earnestnesse to avoid any further effusion of bloud, let God and the world judge.

As for our Proceedings, they have in all things been answerable to our Professions: we gave directions to the Earle of *Essex* to draw the Army under his Command out of the City and Suburbs, before we sent any Message to Your Majesty: So that part of it was inquartered at *Brainford* before the Committee returned with Your Answer. And immediatly upon the receipt thereof, that very morning Order was taken that the Souldiers should exercise no Act of hostility against any of Your Majesties people. VVe sent a letter by Sir *Peter Killigrew* to know Your Majesties pleasure, whether you intended the like forbearance of hostility. But the fury of Your Souldiers, thirsting after bloud and spoile, prevented the delivery of the letter. For coming upon Saturday in his way towards Your Majesty as farre as *Brainford*, hee found them in fight there, and could passe no further. God who sees our innocencie, and that we have no aims, but at his glory, and the publike good, will (we hope) free Your Majesty from those destructive Counsels who labour to maintain their own power by bloud and rapine, and blesse our endeavours, who seek nothing, but to procure and establish the Honour, Peace, and Safety of Your Majesty and Kingdoms, upon the sure foundation of Religion and Justice.

To the Answer of both Houses of Parliament to his Majesties Message of the 12. of November, His Majesty makes this Reply.

THat His Message of the twelfth, though not received by them till the fourteenth, was sent to them first upon the same day upon which it was dated, and, meeting with stops by the way, was again sent upon the thirteenth, and taken upon that day at ten in the morning by the Earle of *Essex*, and though not to him directed, was by him opened, so the slownesse of the Delivery is not so strange as the stop of the Letter said to bee sent by Sir *Peter Killigrew*, which His Majesty hath not yet received, but concludes from the matter expressed to have been contained in that Letter (to wit, to know His Pleasure, whether Hee intended the forbearance of Hostility) and by the Command of such forbearance said to bee sent to the Lord of *Essex* his Army, that no such forbearance was already concluded, and consequently neither had His Majesty cause to suppose that Hee should take any of their Forces unprovided and secure in expectation of a faire Treaty, neither could any Hostile Act of His Majesties Forces have been a course unsutable to His expressions, much lesse could an endeavour to prepossesse (for so Hee Hoped, Her

might have done) that Place, which might have stopt the further March of those Forces towards Him (which, for ought appeared to Him, might as well have been intended to *Colebrook* as to *Brainford*) and by that the further effusion of bloud, deserve that style.

His Majesty further conceives, That the printing so out of time of such a Declaration, as their Reply to His Answer to theirs of the sixe and twentieth of *May*, but the day before they Voted the delivery of their Petition, and the March of the Earle of *Essex* his Forces to *Brainford* so near to His Majesty, when the Committee at the same time attended Him with a Petition for a Treaty, the Earle of *Essex* being before posselt of all the other Avenues to his Army, by his Forces at *Windsore*, *Alton*, and *Kingstone*, was a more strange introduction to Peace, then for His Majesty not to suffer Himselfe to bee coopt up on all sides, because a Treaty had been mentioned, which was so really and so much desired by His Majesty, that this Proceeding seems to Him purposely by some intended to divert (which it could not doe) that His Inclination.

That His Majesty had no intention to master the City by so advancing, besides His Profession, which (how meanly soever they seem to value it) Hee conceives a sufficient Argument (especially being onely opposed by Suspitions and Surmises) may appeare by His not pursuing His victory at *Brainford*, but giving Orders to His Army to march away to *Kingstone* as soon as Hee heard that place was quitted, before any notice or appearance of further Forces from *London*; Nor could Hee finde a better way to satisfie them before hand, that Hee had no such intention, but that His desire of Peace, and of Propositions that might conduce to it, still continued, then by that Message of the twelfth, for which care of His Hee was requited by such a Reception of His Message and Messenger, as was contrary at once both to Duty, Civility, and the very Customes, and Law of Warre, and Nations, and such as theirs (though after this Provocation) hath not found from Him.

His Majestie wonders that His Souldiers should bee charged with churking after Bloud, who took above five hundred Prisoners in the very heat of the fight, His Majesty having since dismissed all the common Souldiers, and entertained such as were willing to serve Him, and required onely from the rest an Oath not to serve against Him: And His Majesty supposes such most apt and likely to maintain their Power by Bloud and Rapine, who have onely got it by Oppression and Injustice; That His is vested in Him by the Law, and by that onely (if

the destructive Counsels of others would not hinder such a Peace, in which that might once againe be the Universall Rule, and in which Religion and Justice can onely flourish) He desires to maintaine it. And if Peace were equally desired by them, as it is by His Majesty, He conceives it would have beene proper to have sent him such a Paper as should have contained just Propositions of Peace, and not an unjust Accusation of His Counsels, Proceedings and Person. And His Majesty intends to march to such a distance from His City of *London*, as may take away all pretence of apprehension from His Army, that might hinder them in all security from yet preparing them to present to Him, and there will be ready either to receive them, or to end the pressures, and miseries, which His subjects to His great grieve suffer through this War, by a present Battell.

Die Lunæ 14. Novemb. 1642.

A Declaration of the Lords and Commons assembled in Parliament, concerning divers well-affected persons and Citizens of the City of London, Who are willing and ready to undertake and advance a considerable number of Souldiers, and them to arme, maintaine, and pay for severall months ensuing, ordering these times of danger, upon the publike Faith.

Whereas divers well affected persons, Citizens of the City of *London*, and others; have advanced severall great summes of money, and other supplies, for the safety of the King, Parliament, and Kingdome; And also have set forth many souldiers under the severall Commands of their Excellencies, the Earles of *Essex* and *Warwicke*, notwithstanding all which said former Advances, and for the better supply of the said Forces, as also for the more sure preservation and safety of the King, Parliament, and City, which so much concernes the Publique, and no way to hinder or backward the said former undertakings or intentions, divers of the said well-affected persons are and do declare themselves yet willing and ready, further to undertake and advance a considerable number of souldiers, and them to arme, maintain, and pay for severall months ensuing, or during these times of danger and distractions, for the purposes aforesaid. Provided they may have the publike Faith of the Kingdome for repayment of all such summes of money which they shall so advance by way of Loan. All which is declared by the Lords and Commons assembled in Parliament, to be an acceptable service to the King, Parliament, and Kingdome, and necessarily tending to the preservation of them. And doe therefore Order, That all such as shall furnish Men,

Money,

Money, Horse, or Armes for this service, shall have the same fully repayed againe with interest for the forbearance thereof, from the times disbursed. And for the true payment thereof, doe hereby ingage to all and every such person and persons, the publique Faith of the Kingdome; And doe further Order, That the Lord Major and Sheriffes of London for the time being, shall by themselves, and such Sub-Committee as they shall appoint, to take the said subscriptions, who are to order the performance of this service for the advancement thereof.

Ordered, by the Lords and Commons in Parliament, That this Declaration be forthwith printed and published.

Hen. Elfyng, Cler. Parl. D. Com.

According to an Ordinance of Parliament, bearing date the fourteenth day of this present moneth of November, 1642. concerning the advancing of a considerable number of souldiers, by contribution of Money; and Armes, to be raised within this City and Liberties by the subscriptions of persons to be called upon in their severall Wards and Parishes, for the perfecting of this necessary Worke, and the furtherance of the same, being directed by the said Ordinance unto us the Major and Sheriffes of this City, and to such Sub-Committee, as by us shall be thought fit, for the execution of the contents of the said Ordinance. We doe therefore hereby Ordaine and appoint the severall persons here under mentioned, that is to say (Robert Sweet for Langborne Ward. John Bellamie for Cornhill Ward. Hugh Smithson for Cheap Ward. Richard Willet for Cordwinders Ward. William Walwin for Vintrey Ward. Hauga Hovell for Broadstreet Ward. Christopher Nicholson for Castle-Bennets Ward. Miguel Styles for Candleweake Ward. John Hilliard for Dowgate Ward. Richard Cotes for Aldersgate Without, and John Leigh for Aldersgate within. Walter Boothby for Cripplegate Ward. Nicholas Gerrard for Broadstreet Ward. William and Matthew Fox for Farrington Without. Tho. Lentall for Billingsgate Ward. Tho. Hutchins for Bishopsgate Ward. Richard Finch for Queen-hishe Ward. Robert Mead for Walbrooke Ward. Will. Farrihgton for Port-Sokin Ward without. Mark Hillsley for Colemanstreet Ward. John Dethick for Limestr. Ward. John Kenrick for Tower Ward. Tho. Foot for Bridge Ward. Francis Greenway for Basinghall Ward. Edward Vaughan for Earrington within. Solomon Vandebrook, for the Dukes-place,) and to any other Committees, that have not yet brought in their names unto you to bee a generall Committee for the managing of this businesse, and for the same to assemble themselves together from time to time, keeping their Court at Weavers Hall, or where-else your selves shall find most convenient, to consider and conclude of those things which may promote the expedition of this service,

to which purpose wee give you by these presents full power and authority together with the other treasurers of severall Parishes, to collect and receive all such subscriptions as shall be advanced for Money and Armes as aforesaid, and that by monethly payments to begin from the first day of this present Moneth, and to deale with the Deputies, Common-councell men, Church-Wardens, and all others of the severall Wards and Parishes within and about this City of London, and particularly with those who have not yet promoted the subscriptions in their Wards or Parishes, nor have hitherto chosen any Treasurers nor Committees for the furtherance of this work; to call before you all such persons, and to presse them thereunto, by vertue of the Ordinance of Parliament, and of this our authority given unto you in this behalfe: For the execution whereof, it will be convenient that the greatest number of you should be present at your Courts, howeever when there shall be a defect of the greater number, then whatsoever six persons of you at the least shall debate and resolve upon, shall passe for good, and be entred for an Order, and for your ease, and more free attendance upon the Committee Court. Wee give you power in your severall Parishes to chuse and appoint such person or persons as you think meet together in the subscriptions, and to bring in the same to you that are Treasurers, as well as Committees.

Isaack Pennington, Major. { John Langham, } Sheriffs,
 { Thomas Andrews, }

John Browne, Cler. Parliament.

Die Mercurii, 23. Novemb. 1642.

The Declaration of the Lords and Commons now assembled in Parliament, For the suppressing of divers Papists, and other Malignant persons, in the Counties of Yorke, Northumberland, Westmerland, Cumberland, Lancashire; Cheshire, the County Palatine of Duresme, and the Towne of Newcastle; who have taken the Oath of Association against the King and Parliament.

THe Lords and Commons now assembled in Parliament, being certainly informed, that the Papists and other Malignants, and ill-affected persons in the County of Yorke, Northumberland, Westmerland, Cumberland, Lancashire, Cheshire, County Palatine of Duresme, and Towne and County of Newcastle, have entered into association, and have caused, and dayly doe cause great Forces, both of Horse and Foot, to oppose and distresse the well-affected Subjects, and to ayd and succour the Popish and malignant Party

Party in those Northern parts, and in particular those now in the City of *Yorke*: The said Lords and Commons doe declare, That they hold it a thing most fit, necessary and heathfull for the present State of this Kingdome, and doe accordingly order, That all Lord-lieutenants, Deputy-lieutenants, Collonells, Captaines, and other Officers, and all other well-affected persons, Inhabitants in the severall Counties of *Yorke, Lincolne, Nottingham, Derby, Stafford, Chester, Lancaster, Northumberland, Cumberland, Westmerland, County Palatine of Duresme*, and Towne and County of *Newcastle*, doe and shall associate themselves, and mutually ayd, succour, and assist one another, by raysing Forces of Horse and Foot, and leading them into places which shall be most convenient and necessary, and by all good waies and meanes whatsoever, to suppress and subdue the Popish and malignant Party in the said severall Counties, and to preserve the peace of the Kingdome, according to the Orders and Declarations of Parliament, and that the said Inhabitants of the said severall Counties, and every of them for so doing, shall bee saved and kept harmlesse by the power and authority of Parliament.

And the said Lords and Commons taking into their serious consideration, the necessity of appointing a Commander in chiefe, over the Officers, which are or shall be raised in the Counties aforesaid, or any of them, for the service aforesaid, in regard that by the particular Commissions already granted to persons in the said severall Counties, there is not power given, to lead Forces out of their owne Counties: It is Ordered, that the Lord Generall the Earle of *Essex* his Excellency, shall be desired to grant such Commissions to the Lord *Fairefax* (in his Excellencies absence from the said Countyes) for leavying, leading and conducting all such Forces as are or shall be raised in the said severall Counties for the service of the King and Parliament, as his said Excellency to himselfe hath, And likewise power to give the same Orders and Instructions, for regulating the Souldiary, which is or shall bee under his commands, as his said Excellency hath given to his Army, and to use Martiall Law, to compell obedience thereunto as occasion shall require, And also power and authority to make and appoint Collonels, Captaines, and other Officers for levyng, conducting, and leading the Forces, as he shall think fit.

Ordered by the Lords and Commons assembled in Parliament, that this Declaration be forthwith printed and published.

J. Brown Cler. Parliament.

*The humble Petition of both Houses of Parliament : Presented to
His Majestie on the 24. of November, 1642.*

May it please your Majesty;

IT is humbly desired by both Houses of Parliament, That Your Majesty will be pleased to returne to Your Parliament with Your Royall, not Your Martiall Attendance; To the end that Religion, Lawes, and Liberties may be settled and secured by their advice; Finding by a late and sad accident, That Your Majesty is inviron'd by some such Counsellors as doe rather perswade a desperate division, then a joyning and a good agreement with Your Parliament and People. And wee shall bee ready to give Your Majesty assurances of such security, as may bee for Your Honour, and the safety of Your Royall Person.

His Majesties Answer to the aforesaid Petition.

WEe expected such Propositions from you as might speedily remove and prevent the misery and Desolation of this Kingdome, and that for the effecting thereof (Wee now residing at a convenient place not farre from Our City of *London*) Committees from both Our Houses of Parliament should attend Us (for you pretended by your Message to Us at *Colbrooke* that those were your Desires) Instead thereof (and thereby let all the world judge of the designe of that Overture) Wee have onely received your humble Petition, That Wee would be pleased to returne to Our Parliament with Our Royall, not Our Martiall Attendance. All Our good Subjects that remember what Wee have so often told you and them upon this subject, and what hath since past, must with Indignation looke upon this Message, as intended by the Contrivers thereof for a Scorne to Us, and thereby designed by that Malignant party (of whom Wee have so often complained, whose safety and Ambition is built upon the Divisions and Ruines of this Kingdome, and who have too great an Influence upon your Actions) for a Wall of separation betwixt Us and Our People. Wee have told you the reasons why Wee departed from *London*, how Wee were chased thence, and by whom; Wee have often complained that the greatest part of Our Peers, and of the Members of the House of Commons could not with safety to their Honours and Persons, continue and Vote freely among you, but by violence and

and cunning practises were debarred of those Priviledges which their Birth rights, and the Trust reposed in them by their Countries gave them: The truth whereof may sufficiently appear by the small number of those that are with you. We offered you to meet both Our Houses in any place free and convenient for Us and them, but We could never receive the least satisfaction in any of these particulars, nor for those scandalous and seditious Pamphlets and Sermons which swarm amongst you. That's all one, you tell Us, It is now for Our Honour, and the safety of Our Royall Person, to return to Our Parliament, wherein you formerly denyed Us a negative voice, gives Us cause to believe, That by giving your selves that name without Us, you intend not to acknowledge Us to be part of it. The whole Kingdom knows, That an Army was raised under pretence of Orders of both Houses (an usurpation never heard of before in any age) which Army hath pursued Us in Our own Kingdom, gave Us Battell at *Kerinton*, and endeavoured to take away the life of Us and Our children, and yet (these Rebels being newly recruited, and possessed of Our City of *London*) We are courteously invited to return to Our Parliament there, that is, to the power of this Army. Doth this signifie any other thing, then that since the trayterous endeavours of those desperate men could not snatch the Crown from Our Head (it being defended by the providence of God, and the affections and loyalty of Our good Subjects) We should now tamely come up and give it them, and put Our selves, Our Life, and the Lives, Liberties and Fortunes of all Our good Subjects into their mercifull hands? Well, We think not fit to give any other Answer to this part of your Petition. But as We impute not this Affront to both Our Houses of Parliament, nor to the major part of those that are now present there, but to that dangerous party We and the whole Kingdom must cry out upon; So We shall for Our good Subjects sake, and out of Our most tender sense of their miseries, and the generall calamities of this Kingdom, which must (if this War continue) speedily overwhelm this whole Nation, take no advantage of it: But if you shall really pursue what you presented to Us at *Colbrooke*, We shall make good all that We then gave you in Answer to it; whereby the hearts of Our distressed Subjects may be raised with the Hopes of Peace, without which, Religion, the Laws and Liberties can no wayes be settled and secured. Touching the late and sad Accident you mention, if you thereby intend that of *Brainford*. We desire you once again to deal ingeniously with the People, and to let them see Our last Message to you, and Our Declaration to them concerning the same (both which We sent to Our Presse at *London*, but were taken away from Our Messenger, and not suffered to be published) and then We doubt not but they will be soon undeceived, and easily finde out those Coun-

Eds, which do rather perswade a desperate Division, then a good Agreement betwixt Us, Our two Houses, and People.

The Preamble.

UNnaturall, inhuman, and strange Cruelties, send forth a voyce; and the voyce which they send forth is so loud, that it awakes even secure and sleepy Man-kinds, and stirs up their bowells to an enflamed and united indignation. The divided pieces of a woman abused to death, needed not the Eloquence or Voyce of an Orator; they spake themselves, and they spake so loud, that they were heard by a whole Nation, and drew forth this Answer, There was no such deed done nor seen, from the day that the children of Israel came out of Egypt. Neither did they fetch only an Answer of words, but of deeds: All the men of Israel gathered together as one man, against the Authors and Abettors of that abominable wickednesse.

It is a Lamentation, and to be taken up for a Lamentation, That in England such horrid acts should be done, that yeeld forth this high, crying, and affrighting voyce. Yet such have lately been done; and there will be no need but only to bring them into view, and then to let them speak themselves. And when they speak, if they get not the same Answer in Deeds, they cannot but get the like Answer in words; No such thing hath been done, since England came out of the Egypt of Rome.

For here are acts represented so far out of ken, and view of Christianity, that they are void of humanity; Yea, so void of humanity, that they are short of the good Nature of wilde, savage, and unreasonable Creatures: Even Bears and Wolves agree with their own Kindes; but these have robbed, spoiled, and tormented not Christians only, for those perchance may be thought not to be of their own Kinde; nor men, which these savages have seemed to put off, but partners and associates in their own cause, and friends to that Quarrell for which they seemed to fight.

But let their own Works speak, and when they speak, I say not, Let Grace, but, Let Nature bear, and it shall suffice.

A true and perfect relation of the barbarous and cruell passages of the Kings Army at old Braintford.

THE Kings Army upon Saturday the twelfth of November instant (after His Majesties assent to treat of Accommodation) surprized Colonnell Hollis his Regiment at old Braintford; and after they had possessed themselves of the Town, they plundered it without any respect of persons (except the house of one Brent a Church Papist, whose wife is a known Popish

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Popish Recusant, and he suspected to give intelligence to the Kings Army) First, they drunk and wasted the Beer and Wine in the severall Innes, and other places in the Town, and such Beer and Wine as they could not drink, they let it run out (in some cellars as deep as to the mid-legge.) They also took from the Inhabitants their money, linnen, woollen, bedding, wearing apparell, horses, cowes, swine, hens, &c. and all manner of victualls; also pewter, brasse, iron pots and kettles, and all manner of Grocery, Chandelery and Apothecary ware: Nay, such was their barbarous carriage, that many of the Featherbeds which they could not bear away, they did cut the ticks of them in pieces, and scattered the feathers abroad in the fields and streets. They did also cut the cords of the beds, and broak down the bed-stands. They did cut in pieces and burn the poor Fishermens botas and nets, by which they got their livings (having pillaged them besides of all that ever they had.) They did cast beef into the dirt which they carried not away with them: they littered their horses with wheat sheaves, they spoiled Nurseries of fruit trees to good value; and neer upon three hundred bushells of apples from one man they took away, spoiled, and trampled to dirt with their horses feet, besides fifteen pair of sheets, his bedding, &c. They also took candles to the value of twenty pounds and upwards from one man, and burnt them all night through the Army, and such as they carried not away, either they broak in pieces, or threw into the fire, or trod in the mire. Had they rested with robbing of the richer sort, it had been some degree of mercy, but they left not unplundered the blinde Beggar at old Braintford, taking from him and his wife their apparell, linnen, woollen, and bedding; and the like they did to the four Almshouses in the Spittle there, and took from them their wheels or rocks, by which they got something towards a livelihood. And when they had thus plundered and taken away all the goods (except here and there a bed) they defaced some houses, and set one on fire (of purpose, as is conceived, to fire the Town) which was afterwards quenched by an Inhabitant. Had their wicked carriages here ended in the losse of the Inhabitants goods, without hazzard of their persons, they had undergone it with more patience; but such was their inhumane behaviour, that they did set drawn swords and pistols cockt to men and womens breasts, threatening them with death, if they brought not out all their money: And threatening others to cut off their noses, and put out their eyes, calling them Parliament Dogges, Round-headed Rogues, beating and wounding some of them (one of them being a Crepple) taking others of the Inhabitants prisoners, and putting irons upon them. Others they tied with ropes, and stript some to their shirts; and as one of them that was led next day in irons towards Ostlands stoopt to take a little water

in his hat to drink, they beat him and bruised him for offering to do it. Their hearts were so seared, that they would not extend compassion to the aged and gray-headed; for they took one grave old Gentleman (about eighty yeers of age) and put him with other of the Inhabitants of the Town into the Pound, where they were divers hours, and afterwards were removed into the Slaughter-house, where they lay all night, it being a most nasty and noisome place, and the old Gentleman being bound head and feet together all night. They also plundered an ancient Gentlewoman of about seventy yeers of age (whose age and weaknesse would not permit her to go to Church for these seven yeers last past) they took from her all her bedding, linnen, pewter, &c. and even her mantle from her back, leaving her in a poor and miserable condition. Their plundering was so universall, that even divers of the richer, as well as the meaner sort were, and to this day still are enforced to live of the charity of the Earl of *Essex* his souldiers; the Cavaliers leaving scarce one piece of bread or meat in all the Town. It would pierce a heart of flint to see the tears dropping from the old mens eyes, in expressing their sad condition: And a great addition to these cruelties was the barbarous, mercilese, and unheard of usage of the Parliament souldiers by the Cavaliers; for they did put them into a Pound, and there tied and pinioned them together, where they so stood for many hours; some of them they stript to their shirts, others to their breeches, most without stockings or shooes, and in that condition removed them to the Slaughterhouse, where they lay all night, and next day were dragged away over *Hounslow Heath* towards *Outlands*; divers of them bare-foot and bare-legge over Furzes and Thistles, till their feet and legs did bleed, and were sore gauled. But these may be accounted but acts of grace and favour, in comparison of what they did towards others of them: For when divers of Master *Hollis* his souldiers fled into the river of *Thames* for safeguard of their lives, they shot at them as they were swimming, and so divers of them were drowned. They took after the fight ended five of the Earl of *Essex* his souldiers, and tied them by the hands with ropes, and enforced them into the river of *Thames*, who standing in the water to their necks, casting their eyes on their enemies, in hopes of mercy, but such was the mercilese condition of their adversaries, that a Trooper rid into the water after them, and forced them to fall into the depth of the water, saying to them (in a jeering manner) Swim for your lives, when it was past all possibility to escape. Had their barbarous carriages begun and ended in heat of blood and revenge, it had a little qualified their offence; but so full of inhumanity were their hearts, even before the fight begun at old *Braintford* with Colonell *Hollis* his Regiment, that they placed ten of the Earl of *Essex* his souldiers (whom they

they had formerly taken prisoners at *Keinton*) pinioned in the front of their men, to be as a breast-work to receive the bullets that came from Colonell *Hollis* his Regiment, that the Cavaliers might escape them; but such was the providence of God, that not one of them was hurt, though shot through the clothes in many places: and one of the ten escaped (who was formerly a Sergeant to a company in Colonell *Essex* his Regiment) and in the presence of divers witnesses averred the truth of this particular.

And now since it appears by these prodigious acts of Rapine, Destruction and Tyranny, that these men delight in cruelty, and fight against their own Associates, and spoil those that favour their own cause, with those that oppose it, what remains, but that they be taken, not for such as endeavour the defence of the King, but the ruine of the Kingdom: and not as enemies of some kinde of men, but as the common enemies of mankind; and therefore mankind should joyn together against them, as it was said of *Ismael*, *His sword shall be against every man, and every mans sword against him.*

24. November 1642.

Ordered by the Commons Assembled in Parliament, That this Relation, concerning the Passages of the Kings Army at old Braintford, be forthwith Printed and Published.

Hen. Elsyng, Cler. Parl. Dom. Com.

Five speciall Orders of the Lords and Commons asssembled in Parliament.

Die Jovis, 24 Novemb. 1642.

THE Lords and Commons in Parliament assembled, being certainly informed of great resort of people unto this City of *London*, both by Land and Water, of which some are suspected to be persons ill-affected to the Peace of this City and Kingdom; and for want of carefull Watches, and examination of passengers that come both by land and water, many Officers and Souldiers of the Army, under his Excellency the Earl of *Essex*, do like wise repair unto this City, and neglect their service and duty in the Army, which may be very dangerous, if some course be not directed to restrain the same: And it being also discovered, That Provisions of Corn, Butter, Cheefe, and such like, have in great quantities been carried from this City, with intent to be transported unto other places, which at this time cannot conveniently be spared, nor may in policy be permitted; Do Order and Ordain, That no Victuall or Provision, of what nature or kinde soe-

ever, be allowed or suffered to be carryed or transported by Land or Water, out of, or from the City of *London*, without speciall License or direction first had and obtained from both or either Houses of Parliament. And that no Officer or Souldier of the Army of his Excellency be in any case suffered to come into this City, not having a due Certificate of the cause of his coming from the same : And if any shall presume to come thence, not being so licensed, the severall persons and Guards appointed to attend, for the defence and safety of this City, both by Water and by Land, are required to attach, and bring him or them before the Committee of the House of Commons for examination ; as also all such other persons of whom there shall be any cause of suspicion that they are not rightly affected to the Peace of this City or Kingdom : And it is specially recommended to the Committee for the *Militia* of *London*, That they would by their endeavours take care, and give direction unto fit persons, for preventing the severall inconveniences above mentioned. And the severall Officers of the Custom-house, Captains, and other Officers of Forts and Castles, and all other persons whom it may concern, are hereby commanded and required to make stay of, and to search all persons, Ships, Barques, Boats, and other Vessells, that shall passe, or go into, or out of, or from the City of *London*, or upon the River of *Thames* : And if any shall be found offending in the premises, to seize and detain the same, untill further direction shall be given therein by both or either Houses of Parliament.

Joh. Brown, Cler. Parl.

Die Jovis, 24 Novemb. 1642.

WHereas the Lords and Commons are informed, That the Town of *Manchester*, and some other parts within the County Palatine of *Lancaster* have for a long time been at excessive charges for the defence of such as are well-affected to the proceedings of Parliament, from the injuries, oppressions, illegall and exorbitant practices of the Commissioners of Array, the Papists, and other malignant persons within that County ; and now when their power doth much encrease, by the generall rising of the Papists there, and therefore have great need of a Supply of Strength (which was long since expected) yet on the contrary they will be forced to disband their Garrison of Souldiers, which they have maintained as long as they are able, and so expose themselves not onely to the violence of their enemies, but much dishonour the Cause, and weaken the good party, unlesse they have some present Supply of Money : Therefore it is ordered by the Lords and Commons in Parliament, That such Moneyes or Plate, as *M. Thomas*

Cafe,

Case, or any other person shall under-write, for the defence of *Lancashire*, and the reducing of the malignant party there, they shall have the publike Faith to be re-pay'd, with satisfaction after eight pounds *per Cent.* And that Sir *John Woollaston*, Knight, Alderman *Warner*, Alderman *Towes*, and Alderman *Andrews* take such Subscriptions, and issue the same for the use of the said County, by Warrant under the hands of any four or more Members of this House that serve for that County; who are to give Order for the disposing of the Moneyes in the said County, so as may best conduce for the service thereof, to give account thereof to the House of Commons.

John. Brown, Cler. Parliam.

Die Jovis, 24 Novemb. 1642.

WHereas it appears by a Report this day made from the Committee for the Affairs of *Ireland*, and by the perusal of Letters from the Lord *Inchequin*, directed to M. *Taylor* of *Bristol*, and referred to the consideration of that Committee, That divers Souldiers do run away from their Service in *Ireland*, and passe into this Kingdom, to the prejudice of the Service there, and the discouragement of others that might come to their assistance; It is therefore Ordered by the Lords and Commons in Parliament assembled, That the Maior of *Bristol* for the time being, and other Officers of the Western Ports of this Kingdom, whom it may concern, do make diligent search from time to time for all such Souldiers and Officers of the Army in *Ireland*, as shall come from thence without the speciall License of the Generall, or him that commandeth in Chief, and Land themselves at *Bristol*, or any other of the Western Ports: And finding any such, That they forthwith, upon due Examination of them, and the Ship-master that brought them over, do take the Bond, or other sufficient Security of such Masters, to carry, or cause them to be carryed back again at their own Charges such Souldiers, and to deliver them to the chief Officers of the Armies in *Munster*, to be proceeded against according to Marshall Law, and to receive condign punishment: And that they return the Names of such Ship-masters as shall be so found to bring over such Souldiers, without good and sufficient License, to the Houses of Parliament, that they may receive such farther punishment for their offence as shall be thought meet.

Jo. Brown, Cler. Parl.

Die Jovis, 24 Novemb. 1642.

IT is this day Ordered by the Lords and Commons in Parliament assembled, That Sir *Edward Barkham*, Master *Wilcox* of *Toshnam*, or either of them,

them, and such as they shall appoint, shall have power to search for Arms, Ammunition, or any Horses that have been sold, pawn'd, or imbezelled by any of the Souldiers of the Army raised by the Parliament, and to seize them where they finde them, and to send them to the respective Officers of the said Army, who are appointed to have care of such matters.

Jo. Brown, Cler. Parliam.

Die Jour, 24 Novemb. 1642.

IT is this day Ordered by the Lords and Commons in Parliament assembled, That *Richard Wright*, and *Nathaniel Hall*, shall be authorized by both Houses to search in *London*, and Suburbs and Towns adjacent, for Arms lent by the City, and to seize the same, and to appoint Deputies for that purpose.

Jo. Brown, Cler. Parl.

By the King.

A Proclamation for the better Government of His Majesties Army, and for the preventing the Plundering, Spoyling, and Robbing of His Majesties Subjects, under any Pretence whatsoever, upon pain of the punishments herein declared.

WE having taken into Our Princely and serious consideration the great misery and ruine falling, and likely to fall upon Our good Subjects (if not timely prevented) by the plundering, robbing, and spoyling of their houses, and taking from them their Money, Plate, Household-stuff, Cattle, and other Goods, under pretence of their being distressed to Us and Our Service; And these unjust and unlawfull actions done by divers Souldiers of Our Army, and others sheltering themselves in the same, under that title; Have, of Our tender commiseration of such their sufferings, as detesting all such horrid and barbarous proceedings, and for their future defence and preservation, thought fit to publish and declare Our Royall Pleasure to be, That from henceforth no Officer, Souldier, of Horse or Foot, or Party sent out from Our Army, presume to search for, or seize upon any Money, Plate, Goods, or Household-stuff, belonging to any of Our Subjects, of what Condition soever, without Our expresse Warrant for the same, under Our Sign Manuall, declaring the cause of such seizure: And if any, either Officer or Souldier of Our Army, of Horse or Foot, presume from henceforth to plunder, spoyl, or rob any of Our people, or

take

take from them any their Money, Plate, Household-stuff, or any Oxen, Sheep, or other Cattle; or any Victuals, Corn, Hay, or other Commodities, or Provisions, going to, or from any Our Markets, or otherwise, being in the Grounds, Houses, or Possession of any Our Subjects, without giving full satisfaction for the same: Upon complaint made thereof, We will and command the Officer in chief of the Quarter within which such fact shall be committed, to proceed against such Offender or Offenders by the Law Martiall, without favour or connivence, and cause him or them to be executed accordingly without mercy. And if any Officer in chief of such Quarter, shall either neglect or refuse to do Justice upon any person whatsoever, offending against any particular herein mentioned, Our Will is, and We do require the party grieved, to repair unto Us, wheresoever We shall remain, and appeal to Our Justice, which We shall be ever most ready to afford any of Our Subjects for the redresse of their suffering, in any the least kinde whatsoever. Likewise, for the better Order in Our Army, and for the preservation of the due Government thereof, We do farther strictly charge and command all Officers and Souldiers, both of Horse and Foot of the same; as also all Partics sent out, That they, nor any of them, presume to depart or be absent from their Quarter, without a Passe or License under the Hand of the Officer commanding in chief in such Quarter of Our Army, upon pain of death; nor that any other, but such Our Officer in chief, presume to give any Passe or other License to any Officer or Souldier to be absent, upon pain of cashiering. And that Our pleasure herein declared may be fully observed, and produce the effects We intend, for the good and security of Our Subjects, We do hereby further require all the Officers commanding in chief, in any the Quarters of Our Army, to cause this Our Proclamation to be published and made known to all the Officers and Souldiers under their command, and to see that severe and due punishment be inflicted upon such as shall henceforth offend against any the least particulars herein before mentioned, as they and every of them expect to avoid Our high displeasure for the neglect thereof.

Given at Our Court at Reading, the 25 day of November, in the eighteenth year of Our Raigr.
 God save the King.

By the King.

WHereas this County, in which (out of Our experience of the good Affection thereof) We have chosen to make Our residence this Winter, is in great danger to suffer violence, and to receive loss and damage by the Incursions of the Rebels, who by reason of their

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number of Dragoons (with which they have furnished themselves, by seizing of the Horses of any of Our loving Subjects, without their consent, and to which they are authorized by a late pretended Ordinance) run up and down into severall Counties, pillaging and plundering Our good Subjects with unheard of Rapine, Insolence, and Inhumanity, whilst Our Horse, for want of such Assistance in respect of the Lanes, and deep narrow wayes, cannot prevent those Out-rages. Though We hope never to be forced to follow the example of these ill men (who having received such vast Sums of Money from Our Subjects, and seized all Ours, can yet have no cause for such Impositions; but their love of Rapine) to lay such burthens upon Our People, albeit for their preservation, as the Committees in severall Counties have Authority, and are directed to do by that Ordinance, yet We have thought fit to declare, That it will be an exceeding acceptable Service unto Us, and We shall take it as a singular Testimony of their affection, and the sense of the Cause, if they shall at this time send in Horses, Geldings, Mares, or Naggs, to be used as Dragoon-Horses for Our Service, and the defence of this Countie: And to that purpose Our Will and Pleasure is, That this Our Declaration be read in all Churches and Chappels on Sunday next, both at Morning and Evening Prayer; not doubting but that every Gentleman, and other substantiall Freeholder, and the Inhabitants of every Parish, by joynt consent, will send in such Horses as aforesaid, with Saddles and bridles: And whosoever can send in men armed with Muskets upon those Horses, shall much adde to this Service. And Our pleasure is, That all such who are willing to gratifie Us herein, shall bring or send their Horses on Thursday next, to the sign of the *Katherine-Wheel* in *Oxford*, and deliver them to the hands of Our trusty and welbeloved, *Winter Graunt* Esquire, Our Waggon-Master Generall, who shall be there ready to receive them. And We command the Constable of every Hundred, receiving Information from the severall Petty-Constables within their Hundred, to bring in a Note of the names of all such Parishes and particular persons who upon this so visible occasion shall oblige Us in this kinde, and present the same unto Us, with the number of Horses, Men, and Muskets so sent by them, that We may remember it to their advantage; and, when it shall please God to enable Us, pay them the true Value, which We do hereby promise to do: And such Persons who shall then offer themselves to serve on the said Horses, shall be then listed and entered into Pay, as the rest of Our Dragoons are; And We hope the Threats, Menaces, and Compulsion of the Rebels shall not more wrk upon Our People for their Supply, then this gracious desire and earnest intreaty of Ours shall do, in a Case wherein they, We, and the Publike are so neerly concerned.

God save the King.

The Copy of a Letter sent from the Hague in Holland, and directed to Secretary Nicholas, but intercepted by the way, and read in both Houses of Parliament on Saturday the 26 of November. 1642.

IT is now long since I had the opportunity of writing to you, but since my first have not heard any thing from you at all; The occasion of our long stay here, was first the expectation of our *Irish* Ships, next the raising money, which the proposition of *Newcastle* drew as fast as it could advance, the failing of the Ships, had it not been supplied by the reputation of the Kings success at Land, had given us a dangerous blow here; but that hath so supported our credit that the Prince of *Orange* hath since played his part, and advanced all those sums we were to expect, of which 20000. l. is sent towards you, 20000. l. to *Newcastle*, and 20000. l. at least we bring with us, besides the great business which we expect this day a finall end of, which will advance 60000. l. more, in which we are ascertained of the Prince of *Orange* his utmost power; such nevertheless we apprehend the importance of the Queens being in *England*, that we had gone this last week, & expected the coming of that after, had not an unseasonable complement from your side stopt us, till this expresse sent to you: The Fleet is now ready, and this week we certainly go, if those counsels, or chances, that move to dilatory resolutions, move not more effectually then the certain advantages of our expedition and dispatch from hence, all our affairs now done, and nothing more to be expected. That you may know upon what grounds we go, and what security we expect there, and what advantage you in the South are to derive from it, you must know we have sent over 10000. foot armes, besides the Garison neer 2000. horse armes, and 20. peece of Canon; we bring over wagons and all accommodation to march so soon as we arrive, we carry considerable Officers from hence, and by the advice we receive from that side 8000. men are on foot already, 6. Troops of Horse, and the rest will not be long on raising after we come there, Generall *King* is designed for Lieutenant generall, hath been with the Queen, and will be suddenly there. From *Denmark* are likewise sent Arms for 10000. foot, and 1500. horse, with a train of Artillery, and every thing proportionable, to the very Drums and Halbards. Two good men of war come their Convoy, and in them an Ambassadour to His Majesty, a person of great quality in *Denmark*, I hope it will be a generall care there to see him Nobly treated, for the entertainment and neglect of the last was much complained of, and is so much inferited by the King, that it had like to have frustrated all our expectations in that Court, had not *Cockran* very handsomely evaded it, he comes along with

the Ambassadour, with whom if you encounter, you will communicate some Propositions of great importance, which in how much the fewer hands they are carried, will be so much the better liked by them you are to deal with, if my employment in this affair may fall upon your servant that writes to you, I know you will not be unmindfull of him.

We have great apprehensions here by something intimated from my Lord of *Holland*, of a treaty further entred into then we have advertisement of, or can well approve; We have confidently beleevd your approaching *London* (if you had not made too long stay upon the way) would have determined that matter, and what the difficulties are now of that, we cannot yet understand, for if intelligence from hence came as freely to you as to us, the Kings party there are very considerable, and full of that expectation, and a day or two loss of time by the late example of *Hull*, may be judged of what contrary consequences it may produce.

We hear my Lord of *Essex* approaches *London*, but beleve he will be so waited on by the Kings Horse, not to let him joyn with their Forces there, being now so lame an Army without Horse or Canon, as the Relations you send hither makes him to be. We beleve the Kings Horse likewise, now so great a body, that it will be as troublesome as unnecessary for them to subsist together, and think so many Troops might be well spared as might be sent into *Kent*, to countenance a party to be set on foot there, which according to our intelligence here would undoubtedly be found very affectionate and considerable; so that by sparing 500. Horse, you might possibly adde to your Army 5000. Foot, to be employed upon the River on that side the Town.

If the unhappy interception had not come of the last weeks Letters, we had undoubtedly been with you on the other side in *Norfolk* and *Essex*, within three weeks, and in that condition having all the Kingdom behinde us on every side, it will not be hard to judge whether should have been better able to sustain, they within the Town, or the Kings Army without; admit my Lord of *Essex* were gotten in, or that the Town had not yielded it self so soon as you had approached, you may yet certainly presume on this, that our being once on foot we shall be able to collect for you all the 400000. l. Subsidies, univerally throughout the Kingdom, which will make the Kings Army subsist, and weare out theirs, besides which the money we bring; what we expect from *Denmark*, and *France* are all encouragements to make us expect no Treatie to be admitted, but upon termes of great advantage and honour to His Majesty, those you are best able to judge of upon the place. If the King have use of them, I am confident you may expect from *France*, (so soon as you set footing in *Kent*, and shall intimate your desire the same) the three Regiments of His Majesties own Subjects there employed, under

Under Colonell Hill, Colonell Fitz-Williams, and Colonell Beling: your Letters directed to *Newcastle*, will direct our addressees to *France*; for I hope we shall yet be there before you can return any in answer to this.
Hague, Novemb. 22. 1642.

Die Sabbathi, 26 Novemb. 1642.

Ordered by the Lords and Commons assembled in Parliament, That this Letter be forthwith printed and published, and read in all Parish Churches within the City of London and the Suburbs thereof, by the Parsons, Vicars, or Curates of the same.
 Jo. Brown, Cler. Parlia.

The manner how this aforesaid Letter was intercepted and taken.

ON Saturday morning the Gentleman that brought this Letter from *Holland* came up to *London* in a *Gravesend* boat, intending to land at *Brainford*, and therefore for the more expedition shot the Bridge; which being perceived by one of the Pinnaces that lie on this side for the Guard of the City and Parliament, and being known to be a *Gravesend* boat, which alwayes land on the other side at *Biltingate*; they called to them to know their business; but they not regarding their summons, still posted away; whereupon the men in the Ship made after them, and hal'd them in, examined the Gentleman, and having some suspition, searcht him, and found this, with some other Letters about him; whereupon they presently carried him up to the Parliament, where after examination, his Letters were taken from him, and he committed to safe custody.

This Letter (as is supposed) was writ by Colonell Goring.

By the Maier.

WHEREAS certain Letters from forraign parts, and severall places of the Kingdom have been intercepted, and brought unto the Parliament, discovering the desperate designs and plots of Papists, and other ill-affected, in collecting great sums of money, and providing many thousands of men and Arms, for the ruine of our Religion and Kingdom. For the preserving and securing whereof, there is great necessity of a present and speedy supply of money that the Army may suddenly advance, for preventing of the many out-rages that the Cavaliers daily commit in severall places of this Kingdom at once: And in regard the burthen hath hitherto lain upon the willing and well-affected persons; the Lords and Commons assembled in Parliament have passed an Ordinance, That all such persons as hitherto have not contributed, or not proportionable to their estates, upon the Propositions of Parliament, for the safety of the Kingdom, shall be a-

essed and compelled to contribute and pay according to their ability. And forasmuch as moneyes cannot be advanced by vertue of that Ordinance, to supply the urgent and pressing occasions of the Army ; It is desired by a Committee of the Lords and Commons appointed by the Parliament, for advancing of moneyes, That a Sum of 30000*l.* might be raised by Tuesday in the afternoon ; and all such as shall lend any money for the present raising of the same, shall be repayed their moneyes so lent out, of the first moneyes that shall be collected upon the said Ordinance. And for the better advancing of this necessary service, the Ministers of every Parish are requested publicly to stir up their Parishioners hereunto ; And that the Church-wardens of every Parish cause an Assembly of the Parishioners to morrow after Sermon, in the after-noon, that amongst them they may raise a proportionable sum ; And that upon Munday next, at three of the clock in the afternoon the Church-wardens appear at *Guild-hall* before the said Committee, to give an account of what moneyes they have raised.

Dated Novemb. 26. 1642.

Isaac Pennington, Maior.

By the King.

A Proclamation of His Majesties Grace, Favour, and Pardon to the Inhabitants of His Countie of Southampton.

WHereas We have taken notice, That by the malice, industry, and opportunity of severall ill-affected and seditious persons in Our County of *Southampton*, very many of Our weak and seduced Subjects of that Our County, have not onely been drawn to exercise the *Militia*, under colour of a pretended Ordinance, without and against Our consent (a Crime of very high nature, if we should strictly enquire thereinto) but have made many Contributions of Plate, Money, and Horses, towards the maintenance of the Army now in Rebellion against Us ; We do hereby publish and declare, That We are graciously pleased to attribute the crimes and offences of Our said Subjects of that County, to the power and faction of their seducers, who, we believe, by threats, menaces, and false informations, compelled and led them into these actions of undutifulnesse and disloyalty towards Us : And We do therefore hereby offer Our free and gracious Pardon to all the Inhabitants of Our said County of *Southampton*, for all the offences committed against Us before the publishing of this Our Proclamation except Sir *The. Jarvise*, Sir *William Waller*, Knights, and *Richard Norton* Esquire ; against all which We shall proceed according to the Rules of the Law, as against Traytors, and stirrers of sedition against Us, And whom We do hereby require all Our Officers and Ministers of Justice,

justice, and all Our loving Subjects whatsoever, to apprehend and cause to be kept in safe custody till Our pleasure be further known. Provided that this Our grace shall not extend to any person, who after the publishing this Our Proclamation shall presume by Loan or Contribution to assist the said Army of Rebels, to assemble and muster themselves in Arms without authority derived from Us under Our hands, to enter into any Oath of Association for opposing of Us and Our Army, or to succour or entertain any of the persons excepted in this Our Proclamation, or in Our Declaration of the 12. of August. But We must and do declare, That whosoever shall henceforward be guilty of the premises, or of either of them, shall be esteemed by Us as an enemy to the Publike peace, a person disaffected to Us, and to the Religion and Laws of the Kingdom, and shall accordingly receive condign punishment, of which We give them timely notice, that they may proceed accordingly at their perills. And We do hereby will and require Our high Sheriff, Justices of the Peace, and all other Our Officers, and loving Subjects, to resist, oppose, and apprehend all such persons as shall presume to make any Levies in that Our County, under what pretence soever without authority derived from Us under Our hand. And We likewise will and require them and every of them to be assistant to all such as shall either command the Train Bands of that Our County, or make any Levies in the same by vertue of Commission under Our great Seal, or Sign Manuall.

Given at Our Court at Reading, this 28 of November, in the eighteenth year of Our Reign.

God save the King.

By the King.

A Proclamation of His Majesties Grace, Favour, and Pardon, to the Inhabitants of His County of Dorset.

Whereas We have taken notice, that by the Malice, Industry, and Impunity of severall ill-affected and seditious persons in Our County of Dorset, very many of Our weak and seduced Subjects of that Our County have not only been drawn to exercise the *Militia*, under colour of a pretended Ordinance, without and against Our Consent (a crime of a very high nature, if We should strictly enquire thereinto) but have made Contributions of Plate, Money, and Horses towards the maintenance of the Army

my new in Rebellion against Us; We do hereby publish and declare, That We are graciously pleased to attribute the crimes and offences of Our said Subjects of that County to the power and Faction of their seducers, who We beleave, by Threats, Menaces, and false Informations compelled and led them into these actions of undutifulnesse and disloyalty towards Us; And We do therefore hereby offer Our free and gracious Pardon to all the Inhabitants of Our said County of *Dorset*, for all offences concerning the premises committed against Us before the publishing of this Our Proclamation, except *Denzill Hillis* Esquire, and Sir *Walter Earle* Knight, against whom We shall proceed according to the Rules of the Law, as against Traitors and stirrers of Sedition against Us, And whom We do hereby require all Our Officers, and Ministers of Justice, and all Our loving Subjects whatsoever, to apprehend, and cause to be kept in safe custody, till Our pleasure be further known. Provided that this Our Grace shall not extend to any person, who after the publishing this Our Proclamation shall presume by Loan or Contribution to Assist the said Army of Rebels, to assemble and muster themselves in Arms without authority derived from Us under Our hand; to enter into any Oath of Association for opposing Us and Our Army, or to succour or entertain any of the persons excepted in this Our Proclamation, or in Our Declaration of the 12 of *August*. But We must and do declare, That whosoever shall hence forward be guilty of the premises, or of either of them, shall be esteemed by Us as an enemy to the Publike Peace, a person disaffected to Us, and to the Religion and Laws of the Kingdom; and shall accordingly receive condign punishment, of which We give them timely notice, that they may proceed accordingly at their perills. And We do hereby will and require Our high Sheriff, Commissioners of *Array*, Justices of the Peace, and all other Our Officers, and loving Subjects to resist, oppose, and apprehend all such persons as shall presume to make any Leavies in that Our County, under what pretence soever without authority derived from Us under Our hand. And We likewise will and require them and every of them to be assistant to all such as shall either command the Trained-bands of that Our County, or make any Leavies in the same by vertue of Commission under Our great Seal or sign Manuall.

Given at Our Court at Oatlands, this sixteenth day of November, in the eighteenth yeere of Our Raigne.

God save the King.

*An Ordinance of both Houses of Parliament, For the better Provision of Vi-
 ctuals, and other necessaries for the Army, and for the payment and sa-
 tisfaction to be made for such Provisions.*

Die Martis, 29. Novemb. 1642.

It is Ordered by the Lords and Commons in Parliament, That Com-
 mittees shall be named in all Counties, to take care for Provisions of
 Victuals for the Army raised by the Parliament; as likewise for the
 taking up of Horses for service in the field, Dragoons, and Draught-
 Horses; as likewise for borrowing of Money, or Plate to supply the
 Army. Which Committees, or any two or more of them, shall have pow-
 er and authority to value all kinde of Provisions both for men and Horse,
 all kinde of Horse for service, or otherwise which shall be voluntarily of-
 fered to be lent upon the publick Faith, or likewise to receive any money
 or plate to be lent as before; and that upon Certificate of any two of such
 Committees, the same Provisions of Horses, money, and plate, and the
 value thereof, shall be entred by the Treasurer of the Propositions, and
 shall be repayed to the party from whom the same was received, with like
 Consideration as other mony lent.

And in case the owners of such provisions, mony, plate, and horse, shall
 refuse or neglect to bring in the same upon publike Faith, for the use of
 the Army, for the better preventing the spoyle, and embezeling of such
 provisions of money, plate, and horses, by the disorder of the Souldiers,
 and that they may not come into the hands of the enemies: It is further
 ordered, That the Committees afore mentioned, or any two of them, be
 hereby authorized and enabled to send for such provisions, money, plate,
 and Horses, and take the same into their custody, and to set an indifferent
 Value and Rate upon them: Which Value they shall certifie to the Treas-
 urers for the Propositions; to be repayed at such time, and in such
 manner, as shall be Ordered by both Houses of Parliament. It is like-
 wise Ordered, That the sayd Committees of the severall and respective
 Counties shall meet and consult with the Committees of the adjacent
 and neighbour Counties, unto the place or places where the sayd Ar-
 mie or any part thereof shall passe and remaine, concerning the Recci-
 ving, procuring, valuing, and disposing of such provisions, Horses,
 Money, and Plate. And if they cannot conveniently meet, that then
 it shall be lawfull for any two, or more of the Committee, to execute
 the severall services above mentioned in the adjoining Counties,
 as well as in the County wherein he is named a Committee; and that

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such

such Certificates as they shall make of any provissions, horses, money, or plate, shall be as effectuall for the securities of the parties, as if the same were received and taken within the county for which he or they are named Committees. And the sayd Committees, or any two or more of them, shall cause the sayd Provisions to be delivered to the Commissarie for the Victualls, or to his Deputy, and such other Officers of the Army, who may be charged with the same upon their account; and shall certifie the Treasurer of the Army or his Deputy, that so Defalcation of the value thereof may be made out of the pay of such Officers and Souldiers as shall receive the same. And the sayd Committee shall likewise cause all such money or plate to be delivered unto the Treasurer of the Army, or his Deputy, who shall take care to convey the plate unto the Treasurer for the Propositions, and shall be charged with all such money upon his accompt as with other money received from them.

An Ordinance and Declaration of the Lords and Commons assembled in Parliament; For the assessing of all such as have not contributed upon the Propositions of both Houses of Parliament, for raising of Money, Plate, Horse, &c. proportionable to their estates.

VHereas the King seduced by wicked Counsell hath raised an Army, and levyed war against the Parliament, and great number of Forces are dayly raised under the commands of Papists and other ill-affected persons, by Commissions from his Majesty; And whereas divers Delinquents are protected from publique Justice by his Majesties Army, and sundry outrages and rapines are dayly committed by the souldiers of the sayd Army, who have no respect to the Laws of God or the Land; but burn and plunder the houses and seize and destroy the persons and goods of divers his Majesties good subjects; And whereas for the maintenance of the said Army divers assessments are made upon severall Counties, and his Majesties Subjects are compelled by the Souldiers to pay the same; which said Army, if it should continue, would soon ruine and waste the whole Kingdom, and overthrow Religion, Law and Liberty. For suppressing of which said army, and ill-affected persons, there's no probable way under God, but by the army raised by authority of the Parliament; which said army so raised cannot be maintained without great sums of Money, yet for raising such sums by reason of his Majesties withdrawing himself from the advice of the Parliament, there can be no Act of Parliament passed with His Majesties assent, albeit there is great Justice that the said Monies should be raised. The Lords and Commons having taken the same into their se-

rious consideration, and knowing that the sayd Army so raised by them hath been hitherto for the most part maintained by the voluntary contributions of divers well affected persons, who have freely contributed according to their abilities.

But considering there are divers others within the Cities of *London* and *Westminster*, and the Suburbs of the same, and also within the Borough of *Southwark*, that have not contributed at all towards the maintainance of the sayd Army, or if they have, yet not answerable to their estates, who notwithstanding receive benefit and protection by the same army as well as any others, and therefore 'tis most just that they should as well as others be charged to contribute to the maintenance thereof.

Be it therefore Ordained by the Lords and Commons in Parliament assembled, and by authority thereof, That *Isaac Pennington* Lord Major of the City of *London*, *Sir John Wollaston*, Knight and Alderman, Alderman *Towes*, Alderman *Warner*, Alderman *Andrews*, Alderman *Chambers*, Alderman *Fowke*, *Sir Thomas Soams* Knight and Alderman, *Samuell Vassell*, *John Ven*, *Morris Thompson*, and *Richard Warring*, Citizens, or any four of them, shall hereby have power and authority to nominate, and appoint in every Ward within the City of *London*, six such persons as they, or any four of them shall think fit, which sayd six so nominated, or any four of them, shall hereby have power to enquire of any that shall remain, or be within the said severall Wards that have not contributed upon the Propositions of both Houses of Parliament, concerning the raising of mony, plate, horse, horsemen, and arms, for defence of the King and both Houses of Parliament, and also of such as are able men, that have contributed, yet not according to their estates and abilities. And the sayd six persons so nominated, or any four of them within their severall and respective Wards and limits, shall have power to asseſſe such person and persons, as are of ability & have not contributed, and also such as have contributed, yet not according to their ability, to pay such sum or sums of money according to their estates, as the sayd Assessors or any four of them shall think fit and reasonable, so as the same exceed not the twentieth part of their estates, and to nominate and appoint fit persons for the collection thereof. And if any person so asſeſſed shall refuse to pay the mony asſeſſed upon him, It shall be lawfull to and for the said assessors and collectors, or any of them, to levy the sayd sum so asſeſſed by way of distress and sale of the goods of the person so asſeſſed, and refusing; And if any person so distrained shall make resistance, It shall be lawfull to and for the respective assessors and collectors or any of them, to call to their assistance any the Trained bands of the said City of *London*, or any other his Majesties Subjects, who are hereby required to be ayding and assisting to the sayd Assessors and Collectors in the premises;

And it is hereby farther ordained, that the respective Burgesſes of Weſtminſter and Southwarke, together with the ſeverall Committees appointed for the ſubſcriptions of money, plate, Horſe, Horſe-men, and Armes within the ſayd Citie and Borough, ſhall reſpectively have power hereby to nominate Seſſors for the ſame Citie and Borough, in ſuch manner as the Lord Major, &c. hath for the Citie of London; and the ſayd Aſſeſſors or any four of them to name Collectors as aforeſayd; which ſayd Aſſeſſors and Collectors, ſhall have the ſame power reſpectively within their reſpective limits, as thoſe to be nominated within the ſaid Citie of London have hereby limited to them. And for the Suburbs of London and Weſtminſter, the reſpective Knights of the Shire where the ſayd Suburbs are, ſhall have hereby the like power to name Aſſeſſors, and they ſo named, or any ſoure of them, and the Collectors by them to be nominated, or any of them within their reſpective limits, ſhall have the like power reſpectively, as the Aſſeſſors and Collectors for London have by vertue of this Ordinance. And be it Ordained that the ſums ſo aſſeſſed and levied as aforeſayd, ſhall be payd in at Guild-Hall London, to the hands of Sir *John Wol-laſton* Knight, *John Warner*, *John Towes*, and *Thomas Andrews* Aldermen, or any two of them; and the aſſeſſors and collectors to be nominated by vertue hercof ſhall weekly report to the Committee of the Houſe of Commons, for the propoſitions aforeſaid, what ſums of money have been aſſeſſed, and what ſums have bin levied weekly, according to the purport hereof; And the ſaid monys ſo levied & paid in, ſhalbe iſſued forth in ſuch ſort, as the other monys raiſed upon the propoſitions aforeſaid, & not otherwiſe.

An explanation of the former Ordinance. Die Martis, 29. Nov. 1642.

WHereas a late Ordinance is paſſed by both Houſes of Parliament for the reaſons therein declared, for the aſſeſſing of all ſuch perſons within the Cities of London and Weſtminſter, and the Suburbs thereof, with the Burrough of Southwark, as have not contributed upon the propoſitions of both Houſes of Parliament, for raiſing of mony, plate, horſe, horſe-men, and arms, for defence of the King, Parliament, and Kingdom, or have not contributed proportionably to their eſtates and abilities. And whereas it is thought fit that ſome additions be made for further explanation and better execution of the ſayd Ordinance: Be it further ordained and declared by the Lords and Commons aſſembled in Parliament, that ſuch perſons as ſhall be aſſeſſed by the reſpective aſſeſſors in the ſayd Ordinance appointed, and ſhall within ſix dayes next after notice given to them, or left at their ſeverall houſes within the ſaid Cities, Suburbs, or Burrough, pay in the one moiety of the ſaid ſums of money ſo aſſeſſed, and within twelve dayes after the ſayd notice given as aforeſayd, the other moiety.

moity thereof, unto the Treasurers of mony, and plate in Guild-hall London, or unto the Collectors appointed by the sayd Ordinance, respectively to receive the same, that then the sayd Treasurers or Collectors shall give acquittances for the same, as hath bin done to such who have lent monies or plate, upon the propositions of both Houses as aforesaid. And the sayd monyes so payd to the sayd Treasurers, or to the sayd severall Collectors, shall be repayd upon the publick Faith, as all other moneys lent upon the said propositions of both Houses. And as for those who shall so far discover their dis-affection, as not to bring in the severall sums of money so assessed upon them, to the persons before appointed, within the times limited, that then their goods shall be distrained and sold, according to the sayd Ordinance. And if no sufficient distresse be found, that then the sayd Collectors shall respectively have power to enquire of any sum or sums of money due, or to be due unto them respectively so assessed, from any person, or persons, for any Rents, Tithes, Goods, or Debts, or for any other thing, or cause whatsoever.

And the said respective Collectors shall have power by vertue of this ordinance, to receive all or any part of the sayd sums due, or to be due unto them, or any of them so assessed, untill the full value of the sum or sums so assessed, and the charges in levying and recovering of the same shall be received and satisfied; and the said respective Collectors shall have further power to compound for any of the sayd Rents, Tithes, Goods, or Debts, due unto the sayd persons so assessed respectively as aforesaid, with any person or persons, by whom the said Rents, Tithes, Goods, or debts, are, or shall be owing; as also to give full and ample discharge for the money by them so received, upon composition or otherwise, which discharge shall be good and effectuell to all intents and purposes. And if the sum or sums of money so assessed cannot be levied by any of these meanes or wayes, then the persons so respectively assessed, shall be imprisoned in such places of this Kingdom, and for so long time as the Committee of the House of Commons for the examinations shall appoint & order: And the families of all such persons so imprisoned, shall no longer remain within the Cities of London and Westminster, the Suburbs and the Counties adjacent.

And be it further ordained, that all and every the assessors and collectors of the said severall sums, shall have the protection of both Houses of Parlia. for their indemnity in this service, and receive such reasonable allowances for their pains taken and charges disbursed or to be disbursed therein, as the Committee of Lords and Commons for advance of mony, and other necessities for the Army raised by the Parliament, shall apportion and appoint.

Die Martis, 29. Nov. 1642. *Ordered by the Lords and Commons in Parli. That this be forthwith printed and published.*

J. Brown Cler. Parl.

His Majesties Declaration to all His loving Subjects upon occasion of the Ordinance and Declaration of the Lords and Commons, for Assessing all such Who have not contributed sufficiently for the raising money, plate, &c.

I would not be believed (at least great pains have been taken that it might not) that the pretended Ordinance of the Militia (the first attempt that ever was to make a Law by Ordinance without Our consent) or the keeping Us out of *Hull*, and taking our Armes and Munition from Us, could any way concerne the Interest, Property, or Liberty of the Subject; and it was confessed by that desperate Declaration it selfe of the 26 of May, that if they were found guilty of that charge of destroying the title and interest of our Subjects to their lands and goods, it were indeed a very great crime. But it was a strange fatall Lethargie which had seized Our good people, and kept them from discerning, that the Nobilitie, Gentry, Commonalty of *England*, were not onely stripped of their preheminences and Priviledges, but of their liberties and estates, when Our just Rights were denied Us; and that no Subject could from thenceforth expect to dwell at home, when We were driven from Our Houses and Our Towns. It was not possible that a Commission could be granted to the Earle of *Essex*, to raise an Army against Us, and for the safety of Our Person and preservation of the peace of the Kingdome, to pursue, kill and slay Us, and all who wish well to Us; but that in a short time inferiour Commanders, by the same authority, would require Our good Subjects for the maintenance of the property of the Subject, to supply them with such summes of Money as they thinke fit, upon the penalty of being plundered with all extremity of War (as the stile of Sir *Edward Bayntons* Warrant runs against our poore Subjects in *Wiltshire*) and by such Rules of unlimited Arbitrary power, as are inconsistent with the least pretence or shadow of that Property it would seem to defend.

If there could be yet any understanding so unskilfull and Supine to believe, that these disturbers of the publick Peace, do intend any thing but a generall confusion, they have brought them a sad argument to their own doors to convince them; after this Ordinance and Declaration, tis not in any sober mans power to believe himselfe worth any thing, or that there is such a thing as Law, Liberty, Property, left in *England*, under the jurisdiction of these men; and the same power that robs them now of the twentieth part of their estates, hath by that but made a claim, and entituled it self to the other nineteen, when it shall be thought fit to hasten the generall ruine. Sure, if the minds of all men be not stubbornly prepared for servitude, they will looke on this Ordinance, as the greatest prodigie of Arbitrary power and tyranny that any age hath brought forth in any King-

dom; other grievances (and the greatest) have bin conceived intollerable, rather by the logick and consequence, than by the pressure it self, this at once sweeps away all that the wisdom and justice of Parliaments have provided for them. Is their property in their estates (so carefully looked to by their ancestors, and so amply established by Us against any possibility of Invasion from the Crown) which makes the meanest subject as much a Lord of his own, as the greatest Peer, to be valued or considered? here is a twentieth part of every mans estate (or so much more as four men will please to call the twentieth part) taken away at once, and yet a power left to take a twentieth still of that which remains, and this to be levied by such circumstances of severity, as no act of Parliament ever consented to. Is their liberty which distinguishes subjects from slaves, and in which this free-borne Nation hath the advantage of all Christendom, dear to them? they shall not onely be imprison'd in such places of this Kingdome (a latitude of judgement no Court can challenge to it self in any Cases) but for so long time as the Committee of the House of Commons for Examination shall appoint and Order; the House of Commons it self having never assumed, or in the least degree pretended to a power of judicature, having no more authority to administer an oath (the only way to discover and find out the truth of facts) to, then to cut off the heads of any our Subjects; and this Committee being so far from being a part of the Parliament, that it is destructive to the whole, by usurping to it self all the power of King, Lords, and Commons. All who know any thing of Parliaments, know that a Committee of either House ought not by the Law to publish their own results, neither are their conclusions of any force without the confirmation of the House, which hath the same power of controlling them, as if the matter had never bin debated; but that any Committee should be so contracted (as this of examination, a stile no Committee ever bore before this Parliament) as to exclude the Members of the House, who are equally trusted by their Country, from being present at the counsels, is so monstrous to the priviledges of Parliament, that it is no more in the power of any man to give up that freedom, then of himself to order, that from that time the place for which he serves, shall never more send a knight or Burgesse to the Parlia. and in truth is no lesse than to alter the whole frame of government, to pull up parliaments by the roots, & to commit the lives, liberties, and estates of all the people of *England*, to the arbitrary power of a few unqualified persons, who shall dispose thereof according to their discretion, without account to any rule or authority whatsoever. Are their friends, their wives, and children (the greatest blessings of peace, and comforts of life) precious to them? would their penury & imprisonment be lesse grievous by those cordials? they shall be divorced from them,

them, banished, and shall no longer remain within the Cities of *London* and *Westminster*, the Suburbs and the Counties adjacent, and how farre those adjacent Counties shall extend no man knowes.

Is there any thing now left to enjoy, but the liberty to rebell, and destroy one another? are the outward blessings onely of peace, property, and liberty, taken, and forced from Our Subjects? are their consciences free and unassaulted by the violence of these firebrands? sure the liberty & freedom of conscience cannot suffer by these men. Alas! all these punishments are imposed upon them because they will not submit to actions contrary to their naturall loyalty, to their oaths of Alegiance and Supremacy, and to their late voluntary Protestation, which obliges them to the care of Our Person and our just Rights. How many persons of honor, quality, and reputation of the severall Counties of *England*, are now imprison'd without any objections against them, but suspicion of their loyalty? how many of the gravest and most substantiall Citizens of *London*, by whom the government and discipline of that City was preserved, are disgraced, robb'd, and imprisoned, without any processe of Law, or colour of accusation, but of obedience to the Law and Government of the Kingdom? whilst Anabaptists, and Brownists, with the assistance of vitious and deboshed persons, of desperate fortunes, take upon them to break up and rissle houses, as publique and avowed Ministers of a new invented authority; how many godly, pious, and painfull Divines, whose lives and learning hath made them of reverend estimation, are now slander'd with inclination to Popery, discountenanced and imprisoned, for discharging their consciences, instructing the people in the Christian duty of Religion, and obedience, whilst Schismaticall, Illiterate, & scandalous Preachers, fill the Pulpits and Churches with blasphemy, irreverence, and treason; and incite their Auditory to nothing but murther and rebellion? We passe over the vulgar charm, by which they have captivated such who have bin contented to dispence with their consciences for the preservation of their estates, and by which they persuade men cheerfully to part with this twentieth part of their estate to the good work in hand, for whoever will give what he hath, may scape robbing. *They shall be repay'd upon the publick Faish as all other monies lent upon the Propositions of both Houses*; it may be so; but men must be condemned to a strange unthriftinesse who will lend upon such security. The publick faish indeed is as great an earnest as the State can give, and engages the Honor, reputation, and honesty of the Nation, and is the act of the Kingdom, 'tis the security of the King, the Lords and Commons, which can never need an Executor, can never dye, never be Bankrupt, and therefore We willingly consented to it for the Indemnity of our good subjects of *Scotland* (who

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we hope wil not think the worſe of it, for being ſo often & ſo cheaply mentioned ſince.) But that a vote of one or both Houſes ſhould be an ingagement upon the publick faith, is as impoſſible, as that the Committee of the Houſe of Cōmons for examinations ſhould be the high Court of Parliament.

And what is or can be ſaid with the leaſt ſhadow of reaſon to juſtifie theſe extravagancies? we have not lately heard of the old fundamental laws which uſed to warrant the innovations, this needs a refuge even below thoſe foundations: They will ſay they cannot manage their great undertakings without ſuch extraordinary wayes; we think ſo too, but that proves only they have undertaken ſomewhat they ought not to undertake, not that it is lawfull for them to do any thing that is convenient for thoſe ends: We remembered them long ago, and we cannot do it too often, of that excellent Speech of Mr Pym: *The law is that which puts a difference betwixt good and evil, betwixt juſt and unjuſt; if you take away the Law, all things will fall into a confuſion, every man will become a law unto himſelf, which is the depraved condition of humane nature, muſt needs produce many great enormities, Luſt will become a Law, and Envy will become a Law, Covetouſneſſe and ambition will become Laws, and what dictates, what deciſion ſuch Laws will produce may eaſily be diſcerned.* It may indeed by the ſad inſtances over the whole Kingdom; But will poſterity believe, that in the ſame Parliament this Doctrine was avowed with that acclamation, and theſe inſtances after produced? That in the ſame Parliament ſuch care was taken, that no man ſhould be committed in what caſe ſoever, without the caſe of his imprisonment expreſſed, and that all men ſhould be immediately bayled in all caſes baylable, & during the ſame Parliament, that Ald. Pennington, or indeed any body elſe, but the ſworn Miniſters of Juſtice, ſhould imprifon whom they would, & for what they would, and for as long time as they would? That the King ſhould be reproached with breach of priviledge for accusing Sir Jo: Horham of high treaſon, when with force of arms he kept him out of Hull, and deſpiſed him to his face, becauſe in no caſe a Member of either Houſe might be committed or accuſed without leave of that Houſe, of which he is a Member, & yet that during the ſame Parl, the ſame Alderman ſhould commit the Earl of Middleſex (a Peer of the Realm) and the Lo: Buckhurſt (a Member of the Houſe of Commons) to the Counter without reprehention? that to be a Traitor (which is defined and every man underſtands) ſhould be no crime, and to be called Malignant (which no body knows the meaning of) ſhould be ground enough for cloſe imprisonment? That a Law ſhould be made, that whoſoever ſhould preſume to take Tunnage and poundage without an Act of Parliament, ſhould incur the penalty of a premunire, and in the ſame Parliament, that the ſame impoſition ſhould be laid upon Our Subjects, and taken by an Order

of both Houses, without and against Our consent? Lastly, that in the same Parliament, a Law should be made to declare the proceedings and judgement upon Shipmony to be illegall and voyd; and during that Parliament, that an Order of both Houses shall, upon pretence of necessity, enable four men to take away the twentieth part of their estates from all their Neighbours, according to their discretion?

But Our good Subjects will no longer look upon these and the like Results, as upon the Counsellis and conclusions of both Our Houses of Parliament; (though all the world knows even that Authority can never justify things unwarrantable by the Law) they well know how few of the persons trusted by them, are present at their consultations; of above 500, not 80; and of the House of Peers, not a fifth part; that they who are present enjoy not the priviledge and freedom of Parliament, but are beseged by an Army, and awed by the same tumults, which drave Us, and their fellow Members from thence, to consent to what some few seditious, schismaticall persons amongst them do propose: These are the men who joyning with the Anabaptists and Brownists of London, first changed the government and discipline of that City, and now by the pride and power of that City would undoe the Kingdom, whilst their Lord Major (a person accused and known to be guilty of high Treason) by a new Legislative power of his own, suppresses and reviles the Book of Common-prayer, robs and imprisons whom he thinks fit, and with the rabble of his Faction gives Laws to both Houses of Parliament, and tells them they will have no Accommodation, whilst the Members sent and intrusted by their Countries, are expelled the House, or committed for refusing to take the Oath of Association, to live and dye with the Earl of *Essex*; as very lately Sir *Sidney Mountague*. These are the men who have presumed to send Ambassadors, and to enter into Treaties with forreign States in their own behalves, having at this time an Agent of their own with the States of *Holland*, to negotiate for them upon private instructions. These are the men, who not thinking they have yet brought mischief enough upon this Kingdom, at this time invite and sollicite Our Subjects of *Scotland* to enter this Land with an army against us. In a word, these are the men who have made this last devouring Ordinance to take away all Law, Liberty, and Property from Our people, and have by it really acted that upon Our people, which with infinite malice, and no colour or ground, was laboured to be infused into them to have been Our intention by the Commissions of *Array*.

We have done; what power and authority these men have, or will have, We know not, for our self We challenge none such; we look upon the pressures and inconveniences our good subjects bear, even by Us and Our Army.

army, (which the army first raised by them enforced us to leave in our defence, and their refusal of all offers and desires of Treaty enforceth Us to keep) with very much sadness of heart; We are so far from requiring a twentieth part of their estates (though for their own visible preservation) that as we have already sold, or pawned Our own Jewells, and coined our own Plate, so we are willing to sell all our own Land, and houses for their relief; yet we do not doubt but our good subjects will seriously consider our condition, and their own duties, and thinke Our readinesse to protect them with the utmost hazard of our life, deserves their readinesse to assist Us with some part of their fortunes, and whilst other men give a twentieth part of their estates, to enable them to forfeit the other nineteen, that they will extend themselves to us in a liberall and free proportion for the preservation of the rest, and for the maintenance of Gods true Religion, the laws of the Land, the liberty of the subject, and the safety and very being of Parliaments, and this Kingdom: for if all these ever were, or can be in manifest danger, 'tis now in this present Rebellion against Us.

Lastly, We will and require all Our loving subjects of what degree or quality soever, as they will answer it to God, to Us, and to posterity, by their Oaths of Allegiance and Supremacy, as they would not be looked upon now, and remembered hereafter, as betrayers of the laws & liberty they were born to, that they in no degree submit to this wild pretended Ordinance, and that they presume not to give any encouragement or assistance to the army now in Rebellion against Us; which if notwithstanding they shall do, they must expect from Us the severest punishment the Law can inflict, and a perpetuall infamy with all good men.

A Declaration of the Lords and Commons assembled in Parliament; Declaring a full Explanation of some particular passage in their late Ordinance made this present December, concerning the Contribution and Assessment Moneys, to be raised for the causes therein expressed.

Luna, 5. Decemb. 1642.

WHereas, in and by a late Ordinance of both Houses of Parliament, it is ordained for the causes therein expressed, That all persons of ability within the Cities of London and Westminster, and Suburbs of the same, and also within the Borough of Southwark, who have not at all, or not answerable to their estates, contributed towards the maintenance of the army raised by the authority of this present Parliament, shall be assessed in such manner and proportion, as in the said Ordinance is directed;

of which, The Lords and Commons now assembled in Parliament do expect a vigorous and speedy execution: But finding some doubt to be raised upon the point of time, Whether that clause of (*not contributing at all, or not in proportion to their estates*) be meant of not contributing before the passing of the sayd Ordinance in both Houses of Parliament, or to be extended to any time before the assessing of them, and giving them notice of it, in such manner as in the sayd Ordinance is appointed: We the sayd Lords and Commons in Parliament assembled, do hereby declare, That if any person or persons who have not contributed at all, or not answerable to their estates, shall, before any assessment of them be made; and notice thereof left at their Houses, according to the sayd Ordinance, contribute towards the maintenance of the sayd Army, by Loan or otherwise, according to their severall & respective estates, as others well affected have already done, without evasion or collusion; every such person so contributing, shall be accepted as doing an acceptable service to the Common-wealth; and be freed from the payment of all, and every tax and assessment of him to be made by the Assessors authorised by the sayd Ordinance for that purpose; as likewise from all distresses, imprisonment, and other punishments to be inflicted, by vertue of the sayd Ordinance, or any addition to, or explanation made of it, for the not paying of such assessments. And hercof, All such Assessors and Collectors are hereby required to take notice.

Decem. 5. Ordered by the Lords and Commons in Parl. That this Declaration be forthwith printed and published. H. Elsynge, Cler. Parl. D. Com.

Notes of the Lords and Commons assembled in Parliament, for the better enabling of the Lord Major to put their late Ordinance in execution.

Die Mercurii, 7. Decembr. 1642.

Resolved upon the Question.

That the Lord Major and other persons named in the Ordinance, shall have power to nominate and appoint six other persons to be Assessors in the severall Wards of *Farrindon Withont*, and *Cripplegate*, and as many in other Wards as there shall be cause.

Resolved upon the Question.

That the Lord Major, and the other persons named in the sayd Ordinance, shall have power to nominate two persons to be Assessors in the severall priviledged places, within the severall Wards.

Die Mercurii 14, Decemb. 1642.

An Ordinance made by the Lords and Commons in Parliament Assembled; For the better and more speedy execution of the late Ordinance of the 29. of November,

1642.

WHereas according to an Ordinance and declaration of the Lords and Commons assembled in Parliament, of the 29 of November last, the persons whose names are subscribed are appointed and since approved of, by both Houses of Parliament, to be Assessors and Collectors of

It is now ordered by the Lords and Commons assembled in Parliament, And the said persons are hereby required and authorized upon the receipt of this Order, forthwith to proceed, effectually and diligently to execute the said Ordinance, according to the tenour thereof in every behalfe, without omission, favour, dread, malice, or any other thing to be attempted by them, or any of them, to the contrary thereof. And for that end, it is further Ordained and Declared; That the sayd Assessors, shall hereby have authority to call before them, as well such persons as they shall think fit to their assistance, as also, all or any such persons as are to be assessed. And the sayd Assessors shall appoint the sayd Collectors in their severall divisions and precincts, for gathering the sums that shall be assessed; and give notice of the summe and summes of money, at which every person in their divisions and precincts shall be particularly assessed.

And whereas it is expressed in the said Ordinance, (So as the assessment exceed not the twentieth part of the estates of the persons to be assessed) It is hereby Declared, for prevention of all inequality in the said assessment; That if the sayd Assessors, or any foure of them, proceeding in their assessment according to. their judgements and best information, shall assess any person above the twentieth part of his estate, and that the person so assessed doth find himselfe grieved with the same assessing or raising; That then the party so assessed, (paying one moiety of the summe he shall be assessed at, within six dayes next after assessment, and notice thereof given, or left at the dwelling house of the party so assessed) may (during six dayes, after his having payd the sayd moiety as aforesaid) have liberty, and may addresse himselfe for remedy and reliefe, unto the persons nominated by the sayd Ordinance, to nominate the Assessors, or any foure of them, and may tender his voluntary oath or protestation to such persons that he is over rated, and of the true value of his estate (if he please) and after due examination and perfect knowledge thereof had,

and

and perceived ; The sayd persons authorized to nominate assessors as aforesayd, or any foure of them, shall hereby have power to order such abatement of the sayd assessement, according as shall appear unto them just and equall upon the same examination.

And it is hereby further Ordained and Declared, That the person so assessed and sworn, shall within three dayes next after the Order of abatement in that behalfe made, pay unto, or be repaid by the Treasurers who received the other moiety of such assessement, such summe or summes of money, as by the sayd Order of abatement shall be appointed : And in case the sayd person so sworne and assessed, shall not pay within the said three dayes next after the order of abatement made, the sum thereby ordered to be payed ; That then the same summe shall be recovered by distresse, or otherwise, as is provided in the sayd Ordinance of the 29. of *November* last, (in case the summes assessed shall not be payd into the Guild-hall *London*, according to the true meaning of the same.) And if it be proved by witnesses, or by the parties own confession, or other lawfull wayes or meanes, within six moneths after any such oath made, that the same person so rated, and sworne, was of any better or greater estate in Lands, Goods or other things above specified, at the time of the making the sayd Ordinance, then the sayd person so sworn, did declare upon his oath ; That then every person so offending, shall lose and forfeit so much lawfull money of *England*, as he the same person so sworn was first assessed at, or taxed to pay, by vertue of the Ordinance aforesayd ; to be recovered by distresse, or otherwise, as is provided in the sayd Ordinance of the 29. of *November* last, (in case the summes of money to be assessed by vertue of the sayd Ordinance shall not be payd into the Guild-hall *London*, according to the true meaning of the same.)

And it is hereby further Ordained and Declared, That the sayd Assessors and Collectors shall incurre no damage by reason of their overvaluing the estate of any person assessed, or to be assessed, or recovering or receiving the same, by vertue of the Ordinance aforesayd, unles some corruption or indirect carriage therein, shall be proved in Parliament against them.

Die Veneris, Decemb. 16. 1642.

Ordered by the Lords and Commons Assembled in Parliament, That this Ordinance be forthwith Printed and published.

Jo. Browne Cler. Parliamentorum.

Die Veneris, Decemb. 16. 1642.

VV Hereas severall Ordinances of both Houses of Parliament of the 29. of *November* last, and the seventh and fourteenth of this instant *December* are passed, concerning Assessing such persons as are of ability, and have not contributed, or not according to their ability, as in the said Ordinances do and may appear; It is now further Ordained and Declared by the Lords and Commons in Parliament assembled, That the severall and respective Assessors shall not asseesse any of the Members of either of the Houses of Parliament, or the Assistants of the House of Peers, any thing in the preceding Ordinances, or any of them, to the contrary notwithstanding: But that the Members of either House shall be assessed by that House, whereof they are Members, and the assistants of the Peers by the House of Peers.

Ordered that this Ordinance shall be printed.

Jc. Brown Cler. Parl.

Die Veneris, 3. Feb. 1642.

It is this day Ordered by the Lords and Commons in Parliament assembled, That the Collectors made upon the Ordinance of the 29. of *November*, for Assessments, shall have power to break open any chests, trunks, boxes, doors, or other things, whereby to take a distresse for the sums of money assessed upon any person, and unpaid; and the time limited for payment by the sayd Ordinance elapsed: And also if they find any chests, money, or other goods in the hands of any persons, which shall be proved or confessed to belong to any person assessed, that hath not satisfied the assessment; That the sayd Collectors shall have power to seize such chests, money, or goods, for satisfaction of the summes assessed.

Jo. Brown Cler. Parliamentorum.

Die Mercurii, 8. Februa. 1642.

An Ordinance of the Lords and Commons in Parliament; For the better levying and receiving of Monyes Assessed by vertue of the late Ordinance of 29. Novemb. 1642.

VV Hereas Information is given, That divers Collectors nominated for the Collecting, Levying, and receiving of the summes of money Assessed by vertue of the late ordinance of both Houses of Parliament, of the 29. of *Novemb.* last for assessments, by reason their other Employments in the publick Affairs of the State, have been taken off from the due execution of the same Ordinance, whereby well affected persons are still occasionally pressed to further contributions, whilst those that have not contributed, or not in proportion to their estates, do not make a proportionable supply; Be it therefore Ordained, and Declared by the Lords and Commons

mons assembled in Parliament, That the Collectors nominated or to be nominated by vertue of the sayd Ordinance, shall from and after the eleventh day of this instant moneth of *Febr.* onely give notice to the Persons asseſsed, or to be asseſsed, of the severall sums of money, at which they are or shall be asseſsed; and after the dayes limited by the sayd Ordinance for payment shall be elapsed, shall repair to the houses of the persons asseſsed, or to be asseſsed, and demand the severall sums of money at which they are or shall be asseſsed; and if the same be unpaid, then to take notice whether sufficient distresse may be had to satisfie the sums asseſsed or no, and accordingly to certifie the same under their hands to the Committee of Lords and Commons, for advance of money and other necessities for the army; and the sayd Collectors are hereby required and authorized to enquire of any sum or sums of money due, or to be due unto the persons respectively asseſsed, or to be asseſsed, from any person or persons, for any Rents, Tyths, goods, or debts, or for any other thing or cause whatsoever; And to compound and receive the same, and give discharges therefore, according to the power to them formerly given by the sayd Ordinance. And it is hereby further Ordained, That where the said collectors shall certifie that a sufficient distresse may be had for the sums of money asseſsed, or to be asseſsed, That Colonell *Randall Manwaring*, Colonell *Richard Browne*, Captaine *Edmund Harvey*, Captaine *Robert Manwaring*, Captaine *Heriot Walsborne*, and such Captains, Lieutenants, Officers, and Souldiers under their severall and respective Commands, as they or any of them shall appoint, Upon notice thereof given, shall immediately repaire unto the severall houses of the persons asseſsed, or to be asseſsed, and certified as aforesaid, And levy the summes of money so asseſsed by distresse, in as ample manner, as by the sayd Ordinance of 29. *Novemb.* and an Order of both Houses of Parlia. of the third of this instant month of *Febr.* the Collectors nominated upon the sayd Ordinance, are authorized and appointed to do and perform: And the distresse and distresses so had and taken, to carry into Guild-hall *London*, or Crosſeby-house in Bishopsgate street *London*, or to such other place or places as the said Committee shall appoint; to be sold and disposed of, for or towards satisfaction of the sums asseſsed, at such times, and by such persons, and in such manner, as by the sayd Committee shall be directed; and in case Certificate be made by the said Collectors, that no sufficient distress can be had, or found, and the summes of money asseſsed cannot be levied by any of the waies or means in the said ordinance mentioned, Then the said Colonell *Randall Manwaring*, Colonell *Richard Browne*, Captaine *Edmund Harvey*, Captaine *Robert Manwaring*, Captaine *Heriot Walsborne*, and such Captaines, Lieutenants, Officers, and Souldiers under their

Command, as they or any of them shall Command and appoint, shall reape unto the dwelling houses of such person or persons, as are or shall bee assessed, and certified as aforesaid, and there or within any other place within this Kingdome, where such person or persons shall be suspected to be, to make diligent search, and him, her, or them, to apprehend and bring in safe Custody before the Committee of the house of Commons for Examinations. who have power to imprison them in such places of this Kingdome, and for so long time, as the same Committee shall appoint and Order; And the said Colonells and Captaines, and other the Captaines, Lieutenants, Officers, and Souldiers, under the command of them or any of them, shall have power to breake open any of the locks and doores of any roome or other place in or belonging to the said houses or places where search shall be made for the parties assessed, or to be assessed, respectively; and the Goods, Debts, Money, and Estate of such persons as already are imprisoned, or to be imprisoned, shall still be lyable, and shall and may be seized on, sould, received, and disposed of, for satisfaction of the summs assessed, wherefoever, or in whose hands soever the same shall bee found: And the Families of such Persons Assessed, or to be Assessed, who have or shall absent themselves from their dwelling houses, or places of abroad, within the Cities of *London* and *Westminster*, the Suburbs of the same, and the Borough of *Southwarke*, shall be further proceeded against, as in the said Ordinance of 29. *Novemb.* is provided. And the said Collectors, and all Collonels, Captaines, Lieutenants, Officers, Souldiers, and other person or persons as shall bee appointed or imployed, in, and for the better execution of the said Ordinance as aforesaid, shall have the protection of both Houses of Parliament for their indemnity in this service; And if any thing not mentioned in the said Ordinance of 29. *November.* or this present Ordinance, may conduce to the more effectually levying and receiving of moneys to be assessed upon the said Ordinance of 29. *November.* the same is hereby referred to the wisdom and care of the said Committee of Lords and Commons for advance of money and other necessities for the Army; And lastly it is Ordered that this Ordinance shall be printed and published.

Io. Browne Cleric. Parliamentorum.

To the Kings most Excellent Majestie.

The humble Petition of Sir James Montgomery, Sir Hards Waller Knights and Colonells, and of Colonell Arthur Hill, and Colonell Audley Marvin, in the behalfe of themselves and others, Commanders in your Majesties Army in Ireland.

May it please your Sacred Majestie,

WEE your Majesties most humble Subjects being intrusted from considerable Parts of Your Majesties forces in the Kingdome of *Ireland*, to petition Your Majestie and Your Parliament for supplies, And finding that Your

H h h h h

Majestie

Majesty had committed the care and managing of that Warre to your Parliament here, we addressed Our selves unto the same, whose sense of Our miseries, and Inclination to redresse appeared very tender unto us, but the present distempers of this Your Majesties Kingdome of *England* (to our unspeakable griefe) are grown so great, that all future Passages by which comfort and life should be conveyed unto that gasping Kingdome, seeme totally to be obstructed, so that unlesse your gracious Majestie, out of your singular wisdom and fatherly care, apply some speedy remedy, we Your distressed and Loyall Subjects of that Kingdome must inevitably perish. Our condition represents unto Your Majestie the estate of all Your Majesties faithfull Protestant Subjects in *Ireland*, the influence of Princely favour and goodnesse so actively distilled upon Your Kingdome of *Ireland*, before the birth of this monstrous Rebellion there, and since the same so abundantly expressed in Characters of a deepe sense, and lively presentment of the bleeding Condition thereof, gives us hope in this their deplorable extremity to addressse our selves unto Your sacred Throne, humbly beseeching, that it may please Your gracious Majestie, amongst your other waighly cares so to reflect upon the bleeding condition of that perishing Kingdome, that timely reliefe may be afforded, otherwise Your Loyall Subjects there must yeeld their fortunes a Prey, their Lives a sacrifice, and their Religion a scorn, to the mercilesse Rebels powerfully assisted from abroad. Whilst we live we rest in Your Majesties Protection, if our deaths are signed in that Cause, we will dye in Your obedience, living and dying ever pray for Your Majesties long and prosperous Raigne over us.

Montgomerie, Haras Waller, Arthur Hill, Au. Mervine.

*At the Court at Oxford, this first of December. 1642.
His Majestie hath expressly commanded mee to give this Answer
to this Petition.*

THat His Majestie, since the beginning of that monstrous Rebellion, hath had no greater sorrow then for the bleeding Condition of that His Kingdome; And as Hee hath by all meanes labour'd that timely reliefe might be afforded to the same, and consented to all Propositions (how disadvantageous soever to Himselfe) that have beene offered Him for that purpose, and not only at first recommended their Condition to both His Houses of Parliament, and immediatly of His owne meere Motion sent over severall Commissions, and caused some Proportion of Armes and Ammunition (which the Petitioners well know to have beene a great support to the Northern parts of that Kingdome) to be conveyed to them out of *Scotland*, and offered

offered to find Ten thousand Voluntiers to undertake that Warre, but hath often since prest by many severall Messages, that sufficient Succours might bee hastned thither, and other matters of smaller Importance laid by, which did divert it, and offer'd, and most really intended in His owne Royall Person to have undergone the danger of that Warre, for the defence of His good Subjects, and the Chastisement of those perfidious and barbarous Rebels; and in his severall Expressions of His desires of treaty and Peace, hath declared the miserable present Condition, and certaine future losse of *Ireland*, to be one of His principall Motives, most earnestly to desire that the present Distractions of this Kingdom might be composd, and that others would concur with Him to the same End; So His Majesty is well pleased that His Offers, Concurrency, Actions and Expressions are so rightly understood by the Petitioners, and those who have imployed them (notwithstanding the groundlesse and horrid Aspersions which have been cast upon Him;) But wishes that instead of a meere generall Complaint (to which 'His Majesty can make no Returne but of Compassion) they could have digested, and offer'd to Him any such Desires, by consenting to which He might convey (at least in some Degree) comfort and life to that gasping Kingdom, preserve his distressed and loyall Subjects of the same from inevitable perishing, and the true Protestant Religion from being scorn'd and trampled on by these mercilesse and Idolatrous Rebels. And if the Petitioners can yet think on any such, and propose them to His Majesty, He assures them that by His readinesse to consent, and His Thanks to them for the Proposall, Hee will make it appeare to them, that their most pressing personall Sufferings cannot make them more desirous of Reliefe, then his Care of the true Religion, and of His faithfull Subjects, and of that Duty which obliges Him to his Power to protect both, renders Him desirous to afford it to them.

FINIS.

Decemb.^r. 1642.

At the Committee of Lords and Commons, for advance of Money, and other Necessaries for the Army.

IT is this day Ordered that the severall Collectors of each Ward, of the City of *London* and Liberties, as also of the Parishes without the Liberties, and the Collectors of the City of *Westminster*, and of the Burrough of *Southwarke*, for subscriptions of Money and Plate upon the Propositions of both Houses of Parliament, doe attend this Committee at *Haberdashers Hall* on Munday the fifth of this instant *December* at two of the clocke in the

afternoone, with an account of what Moneyes or Plate hath beene brought in from each Parish, and by whom; what is yet behind and unpaid that was Subscribed or promised, and by what persons. As also who hath not promised or subscribed for the Loane of Money or Plate, being men of ability, or not done it in proportion to their Estates. And hereof they are not to faile. It is likewise Ordered that this be Printed, and sent to the Collectors of each Ward, and Parish.

*P. Wharton, Manchester; Edw. Howard. Robert Brooke;
William Purefoy, H. Vane. Sa. Vassal, William Strode.*

*Two Orders of the Lords and Commons assambled in Parliament.
Die Sabbathi, 3. Decemb. 1642.*

IT is this day Ordred by the Lords and Commons now assenbled in Parliament that neither the Commissioners of Customes nor any other Officer or servant of the Custom house within the City of London, take any Entries, or passe any Warrants for Gunpowder, to be exported without warrant from the greater part of the Committee of Citizens appointed to take care for that Commodity, and that no Carrier, Waggoner, Watchman, Warfinger, or other person whatsoever shal carry or convey out, or suffer to be carried or conveyed out any Gunpowder to any place without warrant from both Houses of Parliament or of the Committee of Lords and Commons for safety of the Kingdome, or of the Lord Generall, or of the said Committee of Citizens before mentioned; And that all Shipmasters upon their severall returns from their Voyages, to bring in a true and exact Certificate to the said Committee of Citizens, of the quantity of Gunpowder they shall have remaining of their store carried out.

The names of the Committee of Citizens appointed for this service.

Richard Warring, Thomas Foote, Thomas Brightwel, Samuell Langham, Samuell Harfnett, George Foxcroft, Thomas Stock, Richard Hunt, William Thompson, John Lane, Thomas Browne Iunior, Greensmith. Bolton.

Die Sabbathi, 3. Decemb. 1642.

IT is this day Ordered by the Lords and Commons now assenbled in Parliament, That *Richard Warring, Thomas Foote, Thomas Brightwell, Samuell Langham, Samuell Harfnett, George Foxcroft, Thomas Stock, Richard hunt, William*

William Thompson, John Lane, Thomas Browne Junior, Greensmith and Bolton, Citizens of *London*, shall hereby be Authorized to enquire, search, and examine what quantities of Gunpowder is, or shall be in the hands of any Merchants, Ship-chandlers, Grocers, Societies, or Companies, or any others, as to the persons here before nominated to be a Committee for this service, shall seeme fit within the City of *London*, and twenty miles about the same; As likewise to seize upon whatsoever Gunpowder shall be so found for the use of the Parliament; And to this cause the same to be brought to such Ware-houses, as the said Committee shall appoynt for which the Owners are to be payd at such reasonable prizes, and at such times as the said Committee of Citizens, or the greater number of them, shall rate and set down; And that they lay a restraint upon all persons whatsoever, with whom such Gunpowder shall be found, from selling or conveying away to any person or persons any quantity of Gunpowder, upon any pretence whatsoever, without Order from both Houses of Parliament, or the Lord Generall, or the Committee of Lords and Commons for safety of the Kingdome, or the greater part of the Committee of Citizens for this service. It is further Ordered, that all Merchants and others that import any Gunpowder, shall apply themselves to the said Committee, and not to take any Gunpowder out of any Ship, or other Vessell in which it is Imported, without speciall Licence of the said Committee of Citizens; To the end, they may have the offer and refusall of the same before it be otherwise disposed of. And that the said Committee of Citizens, shall Issue out Warrants to such persons as they shall thinke fit to search by Land, or Water, all suspicious Carriages, Packs, Trunks, and other Vessells or things wherein Gunpowder may probably be carried; And seize, and bring the same Powder to the Ware-houses aforesaid, for the use aforesaid, if the said Powder be conveyed or attempted to be conveyed away without sufficient Warrant.

And for the more effectuell performance hereof, it is also Ordered, that the said Committee doe often meet together, for the better pursuance of this Order, whereof they are to give an account weekly, to the Committee of Lords and Commons for safety of the Kingdome; And that all Charges incident to this service, shall be payd by Sir *Gilbert Gerrard*, Treasurer of the Armie, the charges being first allowed and certified by the greater part of the Committee, hereby authorized to doe this service.

Die Sabbaths, Decemb. 3. 1642.

Ordered by the Lords and Commons Assembled in Parliament, that these two Orders bee forthwith Printed and published.

John Brown Cler. Parl.

By the King.

A Proclamation for the free and safe passage of all Clothes, Goods, Wares, and Merchandize to Our City of London.

Whereas Wee have beene informed, that divers of Our loving Subjects, who have beene travelling from Our severall Countiees, and other parts of Our Kingdome to Our City of London with Clothes, Goods, and other Merchandize, have beene of late stopped and Interrupted in their Journeys, and other Clothes, Wares, and Merchandize have been taken or detained from them, whereby the season and benefit of their Markets have been lost to them, and considering, that if the same Licence and Course shall be still taken and held, that the damage and mischief thereof will not only fall upon Places and Persons disaffected to Us, but upon very many of Our good and loving Subjects of all parts, and that thereby the generall Trade and Commerce of the Kingdome (which Wee have alwayes, and doe desire to advance to the utmost of Our Power) will in a short time decay, and the poore People, wanting worke, bee brought to Penurie and Famine. Wee are graciously pleased to declare, and doe hereby will and require all the Officers and Souldiers of Our Army and all other Our Officers and Ministers whatsoever, that from henceforth they give no stop or interruption to any of Our loving Subjects, as they travell to Our City of London with any Clothes, Wares, or other Merchandize, but that they suffer them, and such their Clothes, Wares, and Merchandize freely and peaceably to passe without any let, trouble, or molestation whatsoever. And Wee do hereby promise and assure all Our loving Subjects, that if they shall henceforth suffer by any Souldiers of Our Army in this Case, and shall not upon Complaint to the chief Officers of Our Army where such damage is suffered, receive Justice and Reparation for the damage they sustaine, upon complaint made to Us Wee will take speedy care for the severe and exemplary punishment of the Offenders, and for the full satisfaction of the Parties grieved and injured.

Given at Our Court at Oxford, the eight day of December, in the Eighteenth yeare of Our Reigne.

God save the King.

An Ordinance of the Lords and Commons assembled in Parliament, For the speedy setting forth of certain Ships (in all points furnished for War) to prevent the bringing over of Souldiers, Money, Ordnance, and other Ammunition from beyond the Sea, to assist the King. against the Parliament in England.

WHereas the Lords and Commons now assembled in Parliament doe find by continuall experience, That very great quantities of Ordnance, Armes, and other warlike Ammunition, And many Commanders and Souldiers have bin brought into *Newcastle*, and other parts of this Kingdom from forreign parts, and especially from the *Low-countries* (notwithstanding the prohibition given by the States of the United Provinces to that effect) to be employed against the Parliament, and their Adherents, the well-affected persons of this Realm.

And whereas divers of his Majesties well-affected Subjects out of their loyall respect to his Majesty, their pious disposition to the peace and happinesse of this Kingdome, and as much as in them lyeth to prevent and hinder all such supplies as shall be sent from any Forreigne parts, to the prejudice of this Nation, Have lately made known to the said Lords and Commons their voluntary disposition & readinesse to set forth some Ships and Pinnaces, warlikely appointed, equipped, manned, and victualled, at their own proper costs and charges, So that in recompence of their charge and adventure therein, they may have and enjoy to their own uses all such Ships, Munition, Goods, Moneys, and Merchandizes which they shall take and surprize by Sea or by Land, intended or designed against the Parliament and their Adherents, the well affected persons of this Kingdom, as aforesaid, or that have carried, or they shall take carrying, any the said supplies to the intents aforesaid, Which being well approved by the Lords and Commons in Parliament as a good and acceptable service, they do commend the same for a pious and laudable undertaking, and are willing to give it all the encouragement and advancement that may be, to bring it to a good and successfull issue, as tending very much to the honour of the King, and the welfare of this Nation; And therefore for the better enabling the performance of this so free and commendable undertaking and enterprize, It is ordered established and ordained by the Lords and Commons assembled in this present Parliament, and by the authority of the same; That it shall and may be lawfull for any of his Majesties good and loyall Subjects of this Kingdome of *England* (to be approved and thereto appointed by the Commissioners of the Admiralty established by the Parliament) in warlike manner to equippe and furnish ..

furnish for the said intended imployment such and so many Ships and other Vessels as they shall think fitting, and to place in them competent numbers of Souldiers, Mariners and Gunners, with necessary Armes and Provisions for that service, and to appoint over them such Commanders, Captains, and Officers as they shall think fit; and the same Ships and Vessels so manned, equipped, armed and provided to set forth to the Sea, and with the same to seize, surprize, and take all and all manner of Ships and Vessels with the Ordnance, Ammunition, Goods, Commanders, and Souldiers therein, that they shall finde or understand are sent, or are come to any parts of this Kingdome, to the prejudice thereof, as aforesaid; and further to surprize and take all, and all manner of Pirats and Sea-rovers of what Nation soever, and their Ships and goods whatsoever; And for the better incouragement of all such Adventurers in the said enterprize, It is by the Lords and Commons likewise ordered and ordained, That the said Adventurers shall have and enjoy as their proper goods, all Ships, Goods, Moneys, Plate, Armes, Ammunition, Viduals, Pillage and Spoile which shall be seized, or taken by any persons by them to be employed by force and vertue of this Ordinance, which by definitive sentence to be given in his Majesties high Court of his Admiralty, shall be pronounced at the time of the taking or seizing thereof, to have bin sent, designed, or intended to come into this Kingdome against the Parliament, and all well affected persons their Adherents in this Nation, or to have belonged to any Pirats or Sea-Rovers whatsoever: and the same to have and enjoy to their own use, without any account whatsoever thereof to be made; Onely reserving the Tenths accustomed in such cases to be paid to the Admirall. And it is further ordered and ordained, That there shall be true and faithfull Inventories taken of the Ships, Ammunition, Moneys, Goods, Plate, Pillage and Spoile which shall be taken by vertue and authority of this present Ordinance, and a true Appraisalment made of the same, and the same together with all papers and writings found in any Ship, or other Vessell by them to be taken shall be carefully preserved. and two or three of the Officers of every Ship or other Vessell so taken, shall be examined before the chief Officer of the next safe Port of England, and the said Examinations with the said Papers, Inventories, and Appraisements, shall be sent into the Registry of the high Court of Admiralty aforesaid, to the end that the taking of the said Ships may thereby be justified, or restitution by the said Adventurers (if there shall be just cause) there made. And more particularly it is hereby ordered and ordained by the Lords and Commons aforesaid, and they do by vertue of this Ordinance give unto the persons to be set forth to the Seas as aforesaid, and to every of them power, authoritie and warrant, That if they shall happen upon the Seas or in any Port, Harbour or Creeke, to meet with any Ship or Ships that shall not willingly yield themselves to be visited,

and

and proved by Law and Justice, but will defend themselves by force and violence, then they shall by all means possible, and with all force compell them to yield, and submit themselves to Reason and Justice, although it do fall out that by fighting with them one or more of them be maymed, hurt, or slaine in the resistance.

And it is further ordered and ordained, That the Owners, Captaine, Master and two or three other of the principall Officers of every of the Ships and Pinnaces, so to be set forth upon the said Enterprize, shall before their going to Sea enter into a Bond in the high Court of the Admiralty, in the summe of two thousand pounds to the use of the Kings Majesty, that the said Ships or Pinnaces respectively, nor their Captaines, Masters, nor any of their Company, under colour or pretence of this Ordinance shall rob, spoyle, or indanimage any of the Kings Subjects, Friends, or Allies, other then such particular persons of his Majesties Subjects, Friends, or Allies, as shall be found to have carried, or shall be found carrying Ordnance, Arms, Ammunition, &c. To the prejudice of the Parliament &c. As aforesaid, or shall have committed piracy. And that true Inventories and Appraisements shall be taken of the Ships, and Goods, before the same shall be vended or disposed, and the same together with the papers found aboard any such Ship, and the Examinations of the chief Officers of the same Ships as is before declared, returned into the Registry of the high Court of the Admiralty aforesaid.

And lastly, it is hereby further ordered and ordained, That this Ordinance nor any benefit thereby shall extend to the setters forth of any Ship or other Vessell upon the Enterprize aforesaid, where Bonds shall not be given as is before expressed, and a Certificate under the Admiralty Seal obtained of the putting in of such Caution.

Die Sabbathi Decemb. 10, 1642.

Ordered by the Lords and Commons Assembled in Parliament, that this Ordinance shall be forthwith Printed and Published. John Brown Cleric. Parl.

A Declaration of the Commons assembled in Parliament, Concerning false rumours and reports, which an ill-affected party hath raised amongst drivers of the Inhabitants of Westmerland, Cumberland, Bishoprick of Durham, Newcastle, and Northumberland, against the Parliament, in persuading them that the Parliament intendeth to take away the Tenants rights of those Countiees..

Die Jovis, 15, Decemb, 1642.

VV Hereas it is informed, that some evill affected persons to the peace of the Kingdom, have to the intent to withdraw the affections of a great

number of the Inhabitants of the Counties of *Westmerland, Cumberland, Bisho-*
prick of Durham, New-castle, and Northumberland from the Parliament, and to
 draw them to joyn with an Army of Papists now under the command of the
Earle of New-castle, raised false rumours and reports that the Parliament in-
 tendeth to destroy and take away the Tenant Rights of those Counties; Whe-
 upon the Estates and livelihoods of many thousands of men depend. The Com-
 mons assembled in Parliament do now declare, That they neither have nor ever
 had any aim or intention to destroy, weaken, or infringe any of the said Tenant
 Rights, or to prejudice the Tenants in their Customes or Tenures in the least
 particular; And they doe authorize and require all the said Customary Te-
 nants and others who are to pay any Fines or Rent to any person or persons
 who have executed the illegall Commission of Array, or are or have bin in a-
 ctuall Rebellion against the Parliament, or contributed thereunto, to detain in
 their hands all such Fines and Rents, and to employ the same for the Service and
 Defence of the said Counties and Kingdom, and in so doing they shall be pro-
 tected therein by the said Commons, and discharged against their Land-lords.

Die Martis 13, Decemb. 1642.

I*T is this day ordered by the Commons House of Parliament, That the Collectors*
for Purveyance in the severall Counties of this Kingdom, shall pay no compensati-
ons for Purveyance for the Kings Household, but by the direction of the Commisaries of
the Kings Revenue: And the Knights and Burgeses are to send downe this Order
into their severall Countiees.

Ordered by the Commons in Parliament, That this Declaration and Order be
be forth-with Printed and published.

H. Elsing Cler. Parl. Dom. Com.

By the KING.

A Proclamation prohibiting the payment and receipt of Customes, and
 other Maritime Duties upon the late pretended Ordinance
 of both Houses of Parliament.

W*E have made so many Declarations of Our Royall Intentions*
concerning the preserving of the Religion and Lawes of this
Land, That Wee thinke it not fit oft to repeat. Though by Gods grace
We seriously intend never to decline or depart from the same. But this
seemes most strange unto Us, that whilſt (especially at, and about London)
Our iust and Legall Commands are not obeyed, other Orders and Ord-
nances, (so, which there is no Legall foundation) which not onely discom-
tenance,

tenance, but overthrow the Lawes of the Land that settle Religion, and were the sences of the Subjects property, are submitted unto and obeyed by many of Our weaker Subjects: And amongst these a blind obedience hath been yielded unto the pretended Ordinance, for setting Customes without an act of Parliament, when an Act this Parliament (received from Us, and so understood by Us, as one of the greatest graces the Crowne ever conferred on the Subject) declares, no Custome is due without an Act; and all such persons as receive the same incur the forfeiture of a premunire. Wh's We thought would not have found obedience from the Merchant, who understood what his owne benefit was thereby and could not be ignorant how penall it was in him to breake this Law; especially when he found he paid his Custome for support of an unnaturall War against his Prince, and to foment an intestine and civil dissention which hath already, and may in the future produce so many Evills upon this poore People. But upon the menaces and usage some received that denyed it, We And since a more general Obedience in such as Trade, then We expected though We understand by it the Trade of the Kingdom is much lessened. Nevertheless We thought not fit untill this present, by any of Our Proclamations to prohibite the same because We hoped before this time; We having so often and by so many meanes endeavoured the same, some happy understanding might have bene between Us and both our Houses of Parliament. But at present finding that the monyes arising from these Duties, are a great part of the sell all that maintaines this fire, and supports this unnaturall Rebellion against Us, and heightens the Spirits of such as have no Spirit to Peace, unless they may destroy Us. Our Posterity, and the settled government both of Church and State; We do hereby Declare to all Our People of what sort soever, That whosoever henceforward shall, by vertue of the pretended Ordinance of Parliament, pay any Monyes for Custome or other Duties therein mentioned, other then to Our proper Ministers, what is due to Us by the knowne Lawes of the Kingdom, That We will proceed against him or them in due time as an ill-affected person or persons to the Peace of this Kingdom, and as such as endeavour (as much as in them lyes) to hinder a true Intelligence betwixt Us and Our People. And for such person or persons as shall continue to require or receive the same contrary to the Statute made this Parliament We shall likewise proceed against them according to the penalty in the said Act, And because (though the Law ought to have been every mans prohibition) We did not untill this time, forbid the same, We doe hereby grant our free pardon to all such as formerly having either paid, or received these customes, shall henceforth refuse the same, And to no other.

Given under Our Signe Mannall at Our Court at Oxford, the 16 day of December, in the 18. year of Our Reigne. *God save the King.*

A Declaration of the Lords and Commons assembled in Parliament in answer to a late Proclamation set forth in his Majesties name, concerning the Receipt and Payment of Customes.

VV Hereas the Lords and Commons assembled in Parliament, have made an Ordinance concerning the Subsidy of Tonnage and Poundage: And having since taken notice of a Printed paper in a forme of a Proclamation, entituled thus, *A Proclamation prohibiting the payment and receipt of Customes, and other Maritime Duties, upon the late pretended Ordinance of both Houses of Parliament*: Whereby is endeavoured by many untrue suggestions and subtil insinuations to dissuade and prohibit the Subjects from giving Obedience to the said Ordinance, which if it should take effect (as we are confident it will not) would tend to the destruction of Trade, and the exposing his Majesties Dominions to the Invasion of Forreigne Forces: The said Lords and Commons have thought it necessary to reprint the said Ordinance, with this their further Declaration, That there are no other Customes letted by that Ordinance then such as are due by the Laws and Statutes of this Realme, as will appear to any ingenuous person who shall read the same: And whereas the Contrivers of that Proclamation doe therein suggest, that all such persons as receive any summes of money by vertue of the said Ordinance, do incur the forfeiture of a *Premunire*.

It is hereby declared, That no person receiving any summes of money by vertue of the said Ordinance, is within the danger of a *Premunire*, or any other penalty whatsoever, because the intent and meaning of that penall Clause was only to restrain the Crown from imposing any duty or payment upon the Subjects without their consent in Parliament; and was not intended to extend to any Case whereunto the Lords and Commons give their assent in Parliament: Besides, the greatest summes of money to be advanced by that Ordinance, is appointed by the said Ordinance to be raised by way of Loane, and therefore without the least colour of Objection to be comprehended within the danger of that penalty.

And whereas it is insinuated, that Merchants paying any sums of money by vertue of the said Ordinance, doe thereby incur the aforesaid penalty; There needs no other Answer to it, then to refer any person of common sense to the Clause it self mentioned in that Statute, where it will most evidently appeare, That the Merchant paying, is so far from falling into any danger of that penalty, or being comprehended within the intent of the Clause that enacts it that he is not so much as named within the words or letter thereof: And whereas the Contrivers of that Proclamation doe most scandalously affirme, that the mo-
neys

neys raised by that Ordinance is to support an unnaturall War against his Majesty, and to foment a Civill dissention. If by fomenting an unnaturall War it be intended the mayntaining of the Forces consisting of papists, and other ill-affected persons under his Majesties name. for the subversion of the Parliament, Laws and Religion : We must then confesse, That so much of those moneys as have bin taken and employed for the maintenance of those Forces (for we must acknowledge that a considerable part thereof hath bin forc't and exacted by the Earl of *New-castle*, the Lord *Mohun*, Sir *Ralph Hopton*, and others) were employed to support an unnaturall War against the King, and to foment a civill dissention : But if otherwise applied, for full satisfaction therein, It is declared, that the money raised by vertue of the said Ordinance, and come to the disposing of the Parliament, hath bin with all care and faithfullnesse disbursed for the payment of sundry great and crying Debts of his Majesties, due unto his own Officers of the Navy : And also unto Artificers, Tradesmen, Merchants, Owners of Ships, and Mariners, unto whom his Majesty was indebted before the beginning of this Parliament ; And likewise for the setting forth of two Fleets of Ships the last Summer, the one for guarding the Coast of *Ireland*, and preventing of aid to come unto these Rebels; the other for defence of this Kingdom, and preventing of Forreigne Forces and Invasions, not onely threatned, but actually brought into the Northern parts of this Kingdom, and for the preservation of Merchants Ships from Pirats.

And as touching the strange Assertion of the Authours of that Proclamation, that by the Merchants yielding obedience to this Ordinance, the Trade of the Kingdom is much lessened, though we might here justly take occasion to manifest what have bin the causes of the obstruction of Trade, and so set forth the Rebellion of Sir *Ralph Hopton* in the West, wholly destroying the most flourishing Manufacture of the new Draperies in those parts; the robbing of the common Carriers and Trawnters by his Majesties Forces and Cavaliers, of Woollen Cloth, and other Manufactures; whereby the Commerce and intercourse of Trade between the Clothiers and remote parts, and the Merchants of the City of *London*, is interrupted; the Rebels of *Ireland* setting forth men of War, and making prize of our Merchants trading to and from forreign parts : Yet we think not fit to insist upon it for the present, but must affirm for an undeniable truth, That the money raised by vertue of that Ordinance, was so far from lessening of Trade, as that it was the only meanes to maintain the Navy, and severall Fleets of Ships at Sea, which (under God) hath bin the principall cause of preserving Trade and Commerce; which otherwise before this time would have bin by Pirats, Irish Rebels, and forreign Forces wholly destroyed; and not only Trade, but the whole Kingdome had bin inevitably exposed to those dangers, by his Majesties refusing to passe the Bill of Tonnage and Poundage,

dage, had not the Parliament wholly taken upon them the care thereof, and by Gods blessing prevented those dangers. All which duly considered, the Lords and Commons doe declare, that the Ordinance of Parliament heretofore printed and published with the Book of Rates, for the Payment and Receipt of Customes and Duties upon Merchandize, and with this Declaration reprinted, is just and necessary for the preservation of Trade and defence of the Kingdom; and doe therefore expect a due obedience thereunto, both by Merchants and Officers, wherein they shall be protected by the power and authority of Parliament. And no Bill of Tonnage and Poundage shall passe, but speciall care shall be had for their indemnity and satisfaction, according to the former Ordinance. And the Lords and Commons doe further declare, That whosoever shall refuse to yield obedience to the said Ordinance, is deservedly to be accounted and is by this Order declared to be a person ill-affected to the true Protestant Religion, the Honour of the King, the Priviledge of Parliament, the peace and safety of the Kingdom, and a Fomenter of this unnaturall war by the King against the Parliament.

Die Sabbati 31, Decembris, 1642.

Ordered by the Lords and Commons in Parliament, that this Declaration be forth-with printed and published.

H. Elsing Cler. Parl. Dom. Com.

FINIS.

An Ordinance of Parliament. concerning the Subsidy of Tonnage and Poundage.

THe Lords and Commons now assembled in Parliament, taking into consideration the great perils and dangers that may ensue, not only to this Kingdom; but likewise unto that of *Ireland*, especially in these times of apparent danger, far exceeding all former times, either of his Majesty, or of his Royall Father King *James*; and taking into further consideration the great Debt now due unto the Navy, as well before the beginning of this Parliament as since, amounted to the sum of two hundred thousand pounds or thereabouts, and that two and fifty Ships of War are now in the actuall service of this Kingdom, as well for the defence thereof as of *Ireland*, and not knowing what other supply of Ships and of store will be further requisite in these times of danger; and well knowing that they cannot be maintained without great sums of money, nor the said great Arrears satisfied by any moneys already collected or owing by Merchants for the time past:

And

And foreseeing the danger and the necessity of the supply, did long before this time prepare a new book of Rates which passed both Houses, now ordered to be published, wherein they had as well an equall respect to the ease of Merchants, as to the raising of such sums of money as might be proportionable to those supplies: and did likewise prepare and passe a Bill of Tonnage and Poundage, whereby the Booke of Rates is confirmed; which Bill they have likewise ordered to be printed and published, which after they were past both Houses, were upon the twenty ninth day of June last past, sent to his Majestie to *Torke* for the Royall Assent; which his Majestie not having passed, the Lords and Commons did upon the fourteenth day of this instant July command the Earle of *Holland*, Sir *John Holland*, and Sir *Philip Stapleton* (by whom they did send the late Petition to his Majestie) in the name of both Houses, to move his Majestie to give a speedy passage to that Bill, whereunto his Majestie hath given no Answer at all. And whereas the former Bill of Tonnage and Poundage did determine the first day of this instant July, since which time no moneys intended to be raised by this last Bill have beene collected. Now the said Lords and Commons having taken the premises into due and serious consideration for preventing the inevitable dangers that must necessarily ensue, without timely prevention in that behalfe, have thought good to make this their Declaration to all his Majesties loving Subjects.

First, whereas by an Act made this present Parliament, entituled, an Act for the reliefe of the Captives taken by the Turkish, Mooreish, and other Pyrats, and to prevent the taking of others in time to come, All Merchants aswell Denizens as Aliens, for any goods exported or imported from the tenth day of December one thousand six hundred forty and one, during the terme of three yeares then next ensuing, are to make due entries of such their goods in the Port of *London*, and all other his Majesties Ports within the Realme of *England* and Dominion of *Wales* upon the penaltie of the forfeiture of the said goods.

Now the said Lords and Commons doe enjoyne all Merchants, as well Denizens as Aliens to make due entrie of all such goods and Merchandize, as they shall, during the continuance of the said Act, export or import. And to the intent that the Entries may be accordingly made, they doe expect that the Customers, Comptrollers, Searchers, and other the Officers of the said City of *London*, and other the Ports respectively doe carefully attend their severall charges, and make due seizure, as forfeited, of all such goods and Merchandize as shall not be entred according to the intent of the said Statute.

2. That although the said last Bill of Tonnage and Poundage hath not yet had the Royall Assent, and therefore the Subject by the Law is not compellable to pay the duty therein limited to be paid; yet the premises and pressing necessities

necessities considered, the Lords and Commons doe declare, that it shall be taken as an acceptable service to the Common-wealth by a manifestation of their good affections to the publick, of all those, that shall upon entry of their goods advance, and pay by way of Loane unto the Collectors, or Commissioners, which now are, or hereafter shall be named, or to their Deputy or Deputies all such summe or summes of money as are payable by the last Booke of Rates, and should have been due in case the said Bill had past for a Law.

3 That every Merchant so advancing money as above-said, shall have allowance by way of defalcation of fifteen pounds *per cent.* out of every hundred pounds, he or they shall so advance and pay, over and above all other allowances made in the said Bill or Booke of Rates, or either of them, and so out of every greater and lesser summe, after that rate.

4 Whereas the Bill of Tonnage and Poundage now remaining with his Majesty, cannot have the force of a Law without the further concurrence of the Lords and Commons, in respect the Speaker of the House of Commons by and with the consent of the said Commons is to carry the said Bill up into the Lords House for the Royall assent; as also in respect that in his Majesties absence from Parliament, his Majesty hath no power to passe his Royall assent unto a Bill, but by his Letters Patents under the great Seale, and signed with his hand declared and notified to the Lords and Commons assembled together in the higher House, as by a Statute made in the 23 yeare of the reigne of King *Henry* the eighth, c. 21. appeareth. Now the Lords and Commons, for the further assurance of Merchants advancing moneys as aforesaid, doe promise and declare, that before they consent to the perfecting of the said Bill of Tonnage, and Poundage now remaining with his Majesty, or any other Bill of Tonnage and Poundage whatsoever, provision shall be made that the said allowance of *fifteene per Cent.* shall be confirmed unto the said Merchants accordingly. And that they, their heirs, executors, administrators and assignes, shall be for ever acquitted and discharged of, and from the payment thereof.

5 To the intent that no Merchant doth forbear to advance the said moneys by way of Loan, according as hereby is desired, in hope that the duties in the said Bill shall not hereafter become payable from the first day of July. 1642. The Lords and Commons doe declare that no Bill of Tonnage and Poundage shall hereafter passe in Parliament, but such as shall relate and bee in force to compell all Merchants to pay for all goods and Merchandize exposed or imposed from the said first day of July. 1642. on which day the former Bill of Tonnage and Poundage expired. In which Bill there shall bee that clause of forfeiture of the value of all such goods as shall not bee duly entred in the Custome-house from, and after that day in such manner as in the said Bill is expressed.

6 That all Merchants who shall not advance money by way of Loan as aforesaid in regard of the present and pressing dangers, and necessities, The Lords and Commons do declare, that at what time soever they shall consent to the passing of any Bill of Tonnage, and Poundage, All such persons who shall not advance moneys as aforesaid shall be charged to pay the duties of Tonnage and Poundage, from the said first day of *July*, one thousand six hundred forty two, during the term of the said Bill in such manner as by the said Bill shall be provided.

7 That to the intent that no Officer belonging to any Custome-house within this Kingdome, or the Dominion of *Wales*, or other persons appointed to be Commissioners for receiving of such moneys as shall be advanced by Merchants as aforesaid, be discouraged by reason of any penalties mentioned in any former Act of Tonnage and Poundage past this Parliament, for receiving of any duties upon Merchandize not being granted by Parliament, Although the Lords and Commons doe conceive and hereby declare; That the receiving of the said Sums of Money before-mentioned is not within the true intention of the said penalties, the same being advanced voluntarily by way of Loan: as also in respect those Acts, and the true intent of them, were principally to restrain the Crown from imposing upon the people without their consent. Yet for the further encouragement of such person or persons who shall receive any such Sums, They do declare and promise: That whereas the said Bill of Tonnage and Poundage now remayning with his Majesty or any other doe passe for a Law, there shall be provision made in such Bill for the indemnity and security of all such person and persons in that behalf.

8 That whereas by a former Order of the Commons House of Parliament: the Officers appointed for that purpose have Order to take Bonds of all Merchants for the payment of one *per Cent.* to be raised by vertue of the aforesaid Bill for the relief of the Captives taken by Turkish or other Pirats, or so much thereof as shall be agreed on by the Lords and Commons in Parliament. It is now ordered, That all such Merchants as shall not advance money by way of Loan as aforesaid, shall at all times hereafter upon entry of their goods, make payment of ready money for their said goods according to the Tenour of the said Bill, and likewise all such other Sums of money as by vertue of the said Bill are due from the said Merchants, upon Bill or otherwise for goods by them formerly entred, since the tenth day of *December, 1641*, by the true intent of which Act the one *per Cent.* to be paid and received, is to be taken and received according to such Rates as were due and payable by the Bill of Tonnage and Poundage which did last determine.

9 The Lords and Commons do ordain that the same Collectors, or Commissioners who have formerly received the severall duties upon Merchandizes,

upon the severall Bills of Tonnage and Poundage past this Parliament. shall be, and are deputed to be Commissioners, who are enabled by this Ordinance to receive all such sum or sums of Money, which shall at any time hereafter be voluntarily advanced by way of Loane in such manner as they have formerly received the former duties of Tonnage and Poundage, which said Commissioners, their Deputy or Deputies, or any one of them, shall have full power and authority to give allowance by way of defalcation after the rate of fifteen *per Cent.* out of all such moneys as shall be advanced, according to the true intent of this Ordinance. All which moneys the said Commissioners their Deputy or Deputies shall receive upon Accompt, and shall from time to time issue out the same, as they the said Commissioners shall be authorized by Order of the Lords and Commons in Parliament, or of such other person or persons as they shall nominate and appoint, to be employed for the uses herein before expressed.

10 For the more due Execution of the Premises, and that account be justly kept and the Commissioners duely charged, the Customers and Comptrollers as well of the City of *London*, as the Out-ports are required once in every eight and twenty days to make a true accompt, of all such entries as have bin made in the severall Ports respectively, and of the moneys payable by the said Entries, and are to certifie the said accompts monethly unto *William Tomnes Esquire*, Surveyour Generall in the Custome House of *London*, who is likewise required to make up a perfect accompt upon all the severall Certificates, and to return in the same unto the Commons House of Parliament, or to such Committee as shall be thereunto authorized by them.

11 That for the better directions as well of the Merchants, what is to be performed on their parts, as of severall Officers of the Custome House in the severall Ports respectively. It is ordained by the Lords and Commons now assembled in Parliament, That a true Copy of the said Bill of Tonnage and Poundage which hath past both Houses, and now remayning with his Majesty, shall be printed, and both it and the said Book of Rates published and sent aswell to the Officers of the Custome House in the City of *London*, as unto the Officers of the Out-ports respectively.

Lastly, for the encouragement of Merchants Strangers trading in the Port of *Dover* to continue their intercourse of Trade, and the importation of *Bullion* and forreigne Coine; It is ordered by the said Lords and Commons, that the severall Officers in that Port respectively shall and may from time to time give unto all Merchants Strangers the like respect and allowance in their Customes, as they have formerly done.

*The Copy of a Letter sent to Master Blackston, a Member of the
House of Commons.*

In Rotterdam, Decemb. 16. 1642. Stile novo.

Worthy Sir,

MY last unto you was of the twelfth present, which I sent by Ship; & fearing lest that may be long before it come to your hands, I thought fit to write unto you now by Post; and it is to advise you, that there come hither frequently good and lusty Ships from *New-castle*, which are sent hither by the Merchants of that Town, for the service of the Queen: And there is continuall transportation of great store of Men, Money, and Ammunition over in them. There came hither about fourteen days since Master *Knols*, and that arch K. Capitaine *Archibald*, who is very diligent and notorious in his service, for the betraying of his Countrey, and for that hath of late had that honour conferred upon him to be made a Captain, and is about three days since gone from hence with his Ship laden with Men, Money, and Ammunition for *New-castle*. I heare that Master *Knols* brought over Letters from his Majesty, that hath bin the occasion of the Queenes stay here, which all that be well-affected are very sorry for; who had rather she were elsewhere. Upon the receipt of which Letters from his Majesty, I heare that the Queen the next day sent Master *Jermin* to the States Generall, to acquaint them therewith, and that his Majestie advised the Queen to stay here for some time longer; and that, because his Majestie was upon a Treaty of Accommodation, and doubted not but that in short time he should make all things well; and that therefore the Queen gave them thanks for those Ships that had a long time waited upon her service, and desired that they might now be discharged, which was done accordingly, yet notwithstanding her Majesties Agents labour here exceedingly in sending away Men, Money, Horse and Ammunition unto *New-castle* for the advancing of her Majesties Army in those parts. Upon Thursday last I was at the *Hague*, and there saw her Majesties Standard, which was just then going away, to be sent for *New-castle*; and yesterday was seven-night, I heard that Colonel *Goring*, and Master *Crofts*, and Master *Slingsby*, and Capitaine *Bret*, and Capitaine *Mackworth*, and divers other Cavaliers went to *Amsterdam*, to take ship there, to goe for *England* with all speed, and it is thought for *New-castle*; and that Colonel *Goring* is to be Lord Generall of the Kings Horse. I heare likewise that there is more going away from thence to *New-castle*, foure hundred Officers and old Souldiers, and foure hundred Horse, and a thousand more are to follow, which are her Maje-

flies Regiment, and should have bin a Guard to her person if she had gone on. The Prince of *Orange*. I heare suffers all his Officers to go, that will, onely under this colour, that as many as go hence, shall be constrained; although hee can give them greater honour as he pleaseth, and they expect for so good service, if they doe return.

It is very credibly reported here, that there is now sending away with all speed to *New-castle*, a hundred and sixty thousand pound sterling, which I am very credibly informed by some *Dutchmen*, is by way of Loane raised by the Papists. in these parts (which are not few) for the Queen. And that the Prince of *Orange* is engaged for the payment of it, which are most horrible things. Therefore I can doe no lesse in conscience to God and his Cause, and in duty and love unto the Kingdom and Parliament, (hearing and seeing these things) then give you notice of it, who are a member of that Honourable House, which I shall desire you (if you shall think fit) to communicate unto the House; but shall intreat you to do me the like favour you have done, in concealing of my name. Thus desiring the Lord to be with you, and to blesse and prosper your proceedings, and the whole House with the tender of my service, and best respects unto you, I humbly take my leave, and rest

*Yours, to love and serve you
in the Lord.*

There are two *Newcastle* Ships here, ready to go with the first faire Wind, laden as is before mentioned; and also three great Dutch Hoyes laden with Field-peeces and Carriages, and many *Holland* Waggon, which are made strong and large, and covered over head, such as usually attend the Leaguer.

To his much honoured Friend, Iohn Blackstone Esquire, a Member of the House of Commons in the honourable House of Parliament, present these.

Die Veneris 16, Decemb. 1642.

Ordered by the Lords and Commons assembled in Parliament, That this Letter shall be forthwith Printed and published.

John Brown Cler. Parl.

*The Copie of a Letter sent by the Lord Fairefax to the Speaker
of the House of Peeres.*

May it please your Lordship,

UPon Saturday last, I received a Declaration of Parliament, with a Commission from his Excellencie the Earle of *Essex*, to command in chiefe, over the Forces of the North, and other adjacent Counties, which great Honour and Trust, farre above any ambition or merit, by your Lordships conferred on me, I shall exercise with all care and fidelity, not doubting but that your Lordships will enable mee therein, with such other Supplies as the necessitie of the Service shall require, and that represented from hence.

The State of the Affaires in these parts, since my last dispatch of the first of this moneth, stand in this manner, the Earle of *Newcastle* is come to *Torke*, and Joyned his Forces to the Earle of *Cumberlands*, making in all as I am informed about eight thousand men, Horse and Foot, of which there is about two thousand Horse and Dragooneers, a strength farre too potent to bee resisted by the small power which I have here, whereof I send a list inclosed; our strength was once estimated by our selves farre greater then now it appears, for upon the Earle of *Newcastles* comming over the *Tees*, Sir *Edward Lofius*, with all the *Richmond shire* men, and Sir *Henry Anderson* with all the *Cleveland* men, and the rest of the North-riding, which were estimated at one thousand men, did all returne to their owne Houses, save about one hundred and thirtie men brought hither by Sir *Mathew Boynton*, some other Gentlemen, and our Troope of Horse, raised by Sir *Henry Fowlis*, and about fourtie Horse more, brought hither by Captaine *Anderson*; And besides this defect, our numbers are decreased by Sir *Hugh Cholmley*, to whom I have sent divers Orders to march Northward, to joyne with Captaine *Hatbam*, and the rest in resisting the Earle of *Newcastles* entry, before he came into *Torke-shire*, and since his entry, to come to mee, and the rest of the Armie at *Todcaster*, but hee found such impediments as hee could doe neither: And now I heare he is gone to *Scarborough*, and taken his Forces with him, which were about seven hundred Men, and Colonell *Boynton*, whose Regiment consisted of eight hundred Foot, is likewise marched towards *Hull*, although I sent him divers Orders to march up hither to assist the Forces at *Todcaster*, giving mee neither reason of his not comming to mee, nor of his march towards *Hull*, and I understand that Sir *John Gell* had raised eight hundred men in *Darbsshire*, sent unto him to march hither, to our Succours, but I have received an Answer from him, that hee is not able yet to stirre from thence;

from Sir **ANTHONIE IRBY**, nor the *Lincolnshire* men, I heare nothing, though I have sent to them expresse Messengers, so our whole strength here. (upon returne of the former sent into the North) consisting of twentie one Companies of Foote, and seven Troopes of Horle, and one Companie of Dragoneeres, wee did send of them two Companies of Foote to secure *Selby*, and one Company to secure *Carwood*-Castle, and quartered the rest, part of them at *Weatherby*, under Command of Captaine *Hotham*, whom I have nominated to bee Lievttenant Generall of the Armie, and the rest at *Todcaster*, under my owne command, and upon Tuesday receiving intelligence that the Earle of *New-castle* with his whole Forces intended to fall upon our Quarter at *Todcaster*, I sent to Captaine *Hotham*, to bring up the Forces at *Weatherby*, which being done, and the Earle of *Newcastles* Armie come in sight, wee drew our men into the uttermost part of our Quarter, where wee had raised some breast-workes for our Musquetters, and there the fight began about eleven of the clocke; and so continued in sharpe dispute untill about foure of the clock in the evening; in which time there was at least fourty thousand Musquets shot discharged on both sides, and great numbers of cannon shot.

The Enemie had once wonne part of the Towne and beaten our men, and placed some of their Companies in two or three houses, which did much indanger us, but in the end our men with great courage forced them out againe, recovered and burnt the houses, and kill'd many of the Enemies men that were there placed, and in conclusion, forced the whole Armie to retreat, leaving very many of their men dead, and very great numbers wounded, the certaine numbers, nor qualities of the persons wee could not take, but it is generally said by the Countrey people that were at least one hundred found kill'd and burnt, and wee tooke seventeene prisoners in the fight, and on our part wee lost sixe men, and Captaine *William Lyster*, a valiant and gallant Gentleman, who was shot with a Musquet bullet in the head, and wee had about twentie more wounded, and lost not one Prisoner in the Battell, though divers of our men being negligent of their dutie stayed behind us when wee quit the Quarter, and so were taken the next day there by the Enemiés, and made Prisoners; in this fight our men behaved themselves with very great resolution, farre beyond expectation, in so much as I conceive wee might have maintained the place still, if wee had beene furnished with Powder and shot, but having spent in a manner all our whole store of Bullet, Match and Powder, I advised with the Commanders, and by generall consent it was thought fit, to rise with our Forces, and march to *Carwood*, and *Selby*, to secure those places, and there receive supplies of Ammunition and men, which was accordingly done, and now I am at *Selby*,
with

wich part of the Armie, and the rest with Captaine *Hotham* at *Carwood*: And yesterday I sent my Sonne, Sir *Thomas Fairfax* with five Companies of Foote, and two Troopes of Horse to *Leedes*, intending hee should continue there to secure that place, and the other Clothing Townes, against the Earle of *New-Castles* Forces, if it were possible; But the Enemies Forces were laid so strong in the way, as hee could not passe, so hee onely beat up a Quarter of the Enemies in a small Village, tooke five Prisoners, and retreated to *Selby*.

Thus my Lords I have briefly represented the condition of this Armie at present, which I must confesse I feare will very suddenly grow worse, if not utterly broken up, and that especially for want of money, I having not above a weekes pay provided before hand, and no visible meanes left to raise maintenance for them, unlesse I should giue the Souldiers free quarter upon the Countrey, a cure in my conceit as dangerous as the disease, and peradventure not possible to bee effected, If the Enemy bee still master of the field, and cut off our men as they goe abroad to levy sustenance; which they may doe, and yet not able to beat up our Quarters. I have hitherto supported this Army by the Loanes and Contributions for the most part of the parishes of *Leedes*, *Hallifax*, and *Bradford*, and some other small Clothing-townes adjacent, being the only well affected people of the Countrey, who I much feare may now suffer by this Popish Army of the North meerely for their good affection to the Religion and Publicke Libertie. Out of the rest of the Countrey I was not able to draw any considerable helpe, the Enemy having Garrisons in so many places, who threatened to ruine any that should assist the Parliament, and the cause with money or other helpes.

My Lords, in summe the State of this Countrey is thus, The Enemy is mightie, and Master of the field, plentifully supplied from his Majestie and the Popish and malignant party, with moneys and all necessaries, the well affected party as now it is divided not considerable, the aydes from *Lincolnshire*, *Darbyshire*, and other Countreys very uncertaine, the want of moneys here, such as will force us to disband within ten dayes, and if the Enemy become absolute Master of *Yorkeshire*, they will force contribution, and succours from the Countrey, which will raise a very formidable Armie, and put the whole cause in perill, if God doe not miraculously defend it. I beseech your Lordships seriously to consider it, and send such speedy supplies of men, money, as may Enable mee to goe forward in the service, which I shall not faile to doe with a constant fidelitie. Your Lordships have heretofore assigned two thousand pounds for our succour, but the most part of it is still at *London*, where it lyes for want of Exchange or convoy, and therefore what shall now be sent, must come either by sufficient convoy of Forces.

Forces by Land, or else by sea to *Hull*, and so hither to mee : the Scottish Officers are now come hither yesterday, but now wee are so straightened, that wee can have no men resort to us, to put under command, nor have wee money to pay them. The further relation of these Affaires, I shall leave to Captaine *Hatcher*, who followes these Letters purposely to give true Relation to the House of these Affaires, and hath bene an eye witnesse of most of the passages, in this Countie, from the first raising of Armes; to whose further expression, I shall leave it, with this addition onely, That if the Countrey or cause suffer, your lordships will discerne by this Relation, in whom the default hath been, and impute it accordingly : For nothing hath bene omitted possible to bee effected by

Your Lordships most faithfull and humble Servant

Ferdinando Fairefax.

From *Selby*, 10. Dec. 1642.

Die Veneris, Decemb. 16. 1642.

Ordered by the Lords and Commons Assembled in Parliament, that this Letter bee forthwith Printed and published.

John Browne, Cler. Parl.

*A Declaration of the Lords and Commons Assembled in Parliament.
Die Sabbathi, 17. Decemb, 1642.*

V Hereas Information hath bin given to the Lords and Commons assembled in Parliament. That *Clifton, Catesby, John Lilborne*, and *Robert Vivers*, Captaines in the Army, raised by authority of both Houses of Parliament, for the necessary defence of the true Protestant Religion, the King, Parliament, and Kingdome, under the Command of *Robert Earle of Essex*, Captaine Generall thereof, were taken prisoners by the Forces raised against the Parliament, in executing their severall duties and services, according to the Ordinances of both the said Houses, and after carried prisoners to *Oxford Goale*, and having bene most Barbarously used, are now questioned and proceeded against by way of Indictment, before *Sir Robert Heath* Knight, one of His Majesties Justices of the Kings Bench and others (by colour of some Commission or other Authority from His Majestie) for high Treason and other supposed Misdemeanors, whereas many have bene taken prisoners by the Parliament Forces, in the Act of Warre against the Parliament,

liament, which by the Lawes and Statutes of this Realme is Rebellion and high Treason against the King and Kingdome, and the Actors therein Traytors, and yet none of them hath hitherto beene put to death, or otherwise severely dealt with by the Parliament.

It is therefore Ordered and Declared by the said Lords and Commons, that all such Indictments and other proceedings against the said Captaine *Catesby*, Captaine *Lilborne*, and Captaine *Vrvers*, or against Captaine *Wingate*, who have done faithfull and good service to the Common-Wealth, or against any other person or persons who have done or shall doe service in the said Army, or for the Rayeing of any Money, plate, Horse, or Armes for the maintenance thereof, or otherwise in Execution of, or pursuance of any Order or Ordinance of both or either of the said Houses of Parliament. for the defence of the publique safetie, are unjust and illegall; and the said Sir *Robert Heath*, and all other Commissioners, Iustices, Sheriffs, Jurors, and other Officers and Ministers of Iustice, and other persons whatsoever, are hereby required and injoynd, to surcease any further proceeding against the said persons before named, or any other for any the causes aforesaid, upon the said Indictments or otherwise; And the said Lords and Commons doe further declare, that if the said persons before named, or any of them, or any other, shall be put to death, or other hurt or violence offered to their or any of their persons, for, or by reason of any such service done, or to be done, by, or according to any Order or Ordinance of both or either of the said Houses, the like punishment shall be inflicted by death or otherwise upon such prisoners as have bin or shal be taken by the Forces raised by Authority of both Houses of Parliament; And if the said Sir *Robert Heath*, or any other Commissioner, Iustice, Sheriffe, Juror, or other Officer, or Minister of justice, or other person shall doe contrary to this Ordinance in any the premises, they and every of them for so doing, shall be proceeded against, and dealt with, as Enemies to the King and Kingdome.

Die Sabbati, Decemb. 17 1642.

Ordered by the Lords and Commons assembled in Parliament, that this Declaration be forthwith printed and published.

J. Brown Cler. Parliamentorum.

FINIS.

A Declaration of the Lords and Commons Assembled in Parliament.

THe Lords and Commons now in Parliament assembled, being certainly informed, that Papiſts and other wicked and ill-affected perſons, have Trayterouſly combined together, and entered into Aſſociation, and have raiſed, and dayly do raiſe great Forces both of Horſe and Foot, in ſeverall Countieſ of this Kingdom, and have plundered, ſpoiled, and deſtroyed, multitudes of this Majelties good Subjects, and if not timely prevented will utterly ſubvert and deſtroy the true Proteſtant Religion (which is their chiefeſt deſign) the Laws of the Land, the Priviledge of Parliament, and the Libertieſ of the Subject; The ſaid Lords and Commons do Declare, That they hold it a thing fit and neceſſary for the preſent State of this Kingdom, and do accordingly Order, That all Lord Lieutenants, Deputy Lieutenants, Colonells, Captaineſ, and other Officerſ, and all other well-affected Perſonſ, Inhabitanteſ in the ſeverall Countieſ of *Norfolke, Suffolke, Eſſex, Cambridge,* and the Iſle of *Elye, Harford,* and the Countie of the city of *Norwich,* ſhall and may Aſſociate themſelves, and mutuall ayd, ſuccour and aſſiſt one another, in the mutuall defence and preſervation of themſelves, and of the peace of the ſaid Countieſ, from all Rapineſ, plunderingſ, ſpoiling of the ſaid Papiſts and other ill-affected perſonſ.

And it is further Ordered and Declared, That the ſaid Lord Lieutenants, Deputy lieutenants, Colonells, Captaineſ, and other Officerſ, have power and authority to raiſe forceſ of Horſe and Foot, and to lead them into any place which ſhall be fitting and convenient, and to give Battel, and to fight with all ſuch as are, or ſhall be raiſed to levy War againſt the Parliament; and all other Forceſ raiſed without authority and conſent of both Houſeſ of Parliament, that make any inſurrection and plunder, and deſtroy His Majelties good Subjectſ, and them to invade, reſiſt, ſuppreſſe, ſubdue, purſue, kill and ſlay, and put to execution of death, and by all meanſ to deſtroy, as Enemyſ of the Kingdom; And to perform all thingſ elſe needfull for the preſervation of the ſafety and Peace of the ſaid Countieſ, either by Water or land, obſerving from time to time ſuch other directionſ and commandſ as they ſhal receive from both Houſeſ of Parliament, or from the Earle of *Eſſex* Lord Generall: And that the ſaid Inhabitanteſ of the ſaid ſeverall Countieſ, and every of them for ſo doing, ſhall bee ſaved, and kept harmleſſe by Power and Authoritie of Parliament.

And the ſaid Lords and Commons, taking into their ſerious conſiderationſ, the neceſſitie of appointing a Commander in chiefe over the Forceſ which are, or ſhall bee raiſed in the Countieſ aforeſaid, or any of them, for the ſervice
aforeſaid.

aforesaid, in regard that by particular Commissions already granted to persons in the said severall Counties, there is not power given to lead forces out of their owne Counties. It is Ordered that the Lord Generall the Earle of *Essex*, shall be desired to grant a Commission to *William Lord Gray of Wike*, to command in chiefe, as Major Generall of all the Forces to be raised in the said Counties; And to have power to lead, conduct, and carry the same to such places within the said Counties, as he shall thinke fit, for the defence of the said Counties; And likewise power to give the same Orders and Instructions in his Excellencies absence, for Regulating the Souldiers, which is, or shall be under his command, as his said Excellencie hath given to his Army; And to use Martiall Law to compell Obedience thereunto, as occasion shall require; And also Power and Authoritie, to make and to appoint Colonels, Captaines, and other Officers, for levying, conducting, and leading the said Forces as hee shall thinke fit.

*Io. Brown, Cleric.
Parliamentorum.*

*H. Elsyng, Cler, Parl.
D. Com.*

Instructions for the Lord Lieutenants, Deputy Lieutenants, and other Officers and Commanders in the Counties of Norfolk, Suffolk, Essex, Cambridge, Isle of Ely, Hartford, and Countie of the City of Norwich.

1. **T**Hat the Lords Lieutenants of the severall Counties of *Norfolk, Suffolk, Essex, Cambridge, Isle of Ely, Hartford*, and the County and City of *Norwich*, or the Deputy Lieutenants of the said Counties respectively, or any two or more of them, with all convenient speed, Do summon the severall Gentlemen, Freeholders, and other Inhabitants of the said severall Counties, aswell within Liberties and Corporations as without, that do or are able to bear or find Armes, to such places in the said severall Counties, as they hold most fitting, and at such meetings to take a survey, what Arms and Force can be raised in the said Counties respectively, and examine the defects of Arms and Ammunition, and to consider of some fitting course how to have the want of Arms and other defects to be supplied, and at such meetings or at any other fit time and times; The said Deputy Lieutenants or any two of them, with the assistance of the Committee for the Propositions and Subscriptions in the severall Counties, or any two of them, shall, and may propound to all the Inhabitants of the said Counties, Cities and Corporations, That are able to bear or find Arms or to contribute towards the same: what present and imminent danger and necessity the whole Kingdome is now reduced unto, by the wicked

advise and attempts and conspiracies of Papists and other Persons now about His Majestie, and to propound to them to joine in an Association and mutuall defence of one another, according to the forme of an Association heretunto annexed. And to require them to set downe in writing, and subscribe what Armes for Horse and Foot, what Horse, either Dragoneers or others they will have in readinesse upon every just occasion for the defence of the said Counties.

2. Secondly, the better to prevent the plundering and spoyling of the said Counties, and to have meanes for the furnishing of Armes and Ammunition, making Fortifications, and payment of Officers, and other publick necessary charges, that there be forthwith raised in the said severall Counties respectively, the fourth part of such like severall summes as were assessed upon the said Counties, by vertue of the Act lately made in this present Parliament, for the raising of 400000 pounds, the same fourth part to be raised by way of Taxe and Rate upon the said severall Counties respectively.

3. And for the better levying of the said fourth part of the said summe of 400000. pounds, or of any other summe to be assessed and set upon the said Counties for the defence and preservation of the same, by consent of both Houses of Parliament; That the Lord Lieutenants, and Deputie Lieutenants of the said Counties respectively, or any two or more of them, shall, and may Assesse and Taxe, or cause to be Assessed and Taxed, the said summe and summes upon the severall Cities, Corporations, Hundreds, Townes, and Hamlets in the said severall Counties, after the most industrious and usuall proportion of other Rates in the said Counties; And that they or any two or more of them nominate and appoint Treasurers, Collectors, and Assessors in every County abovesaid, for the Assessing, Receiving, and Collecting such sum and summes of money as above-said: And that the said Lord Lieutenants, Deputy Lieutenants, or any two or more of them, shall, and may grant Warrants under their hands and Seales in writing to any Constable or other Officer whatsoever, to raise and levy the said sum and summes so to be assessed and taxed as above said, upon all such persons upon whom any summe shall bee so assessed and set as above-said, that doe refuse or neglect to pay the same by way of distresse, and sale of the goods of the person so refusing, or neglecting to pay the same; And in case no distresse is or may be found, then the said Lord Lieutenants, Deputy lieutenants, or any two or more of them, shall, and may commit such person and persons so refusing, and neglecting to pay as abovesaid, to some common Goale, there to remaine without Bayle or Mainprize, untill payment made of such sum and sums as above-said.

4. That all Sheriffs, Justices of the Peace, Majors, Bayliffs, and Constables, and all other His Majesties Officers, aswell within liberties as without

be from time to time ayding and assisting unto the said Lord Lieutenants, Deputy Lieutenants in execution of the power to them given by both Houses of Parliament, and of these Instructions.

5. That the Lord Lieutenants, Deputy Lieutenants of the said several Counties or any two or more of them doe put in execution in the said Counties all former Instructions to them granted by both Houses of Parliament for the executing of the *Militia*, disarming those Popish Recusants, and other ill-affectd persons, and for the preserving the peace of the said Counties.

6. That no Treasurer and receiver of any money, shall issue out any money, but under the hands of the Lord Lieutenants, or two or more Deputy Lieutenants in every county respectively. And that the severall Lord Lieutenants and Deputy Lieutenants do not signe, or grant any warrants for the issuing or paying any sum or sums, but for the furnishing of Armes and Ammunition, making of Fortifications, payment of Officers and Souldiers, and other necessary publick charges, tending to the safety and preservation of the said Counties, and not otherwise.

7. That the Lord Lieutenants, Deputy Lieutenants of every the said Counties respectively, or any two or more of them, shall and may from time to time, raise such and so many of the Trained Bands, and other Persons inhabiting in the said Counties as they shall judge necessary and fitting, to enter into the houses of all Papists, and other Persons that are Voted to bee Delinquents, by both or either Houses of Parliament; Or that have put in execution the Commission of Array, or that have beene present with, or ayding and assisting to his Majestie in this unnaturall War against the Parliament, or that being of ability, have not contributed upon the Propositions of raising of Horse, Money or Plate, for the defence of the King and Parliament, or that have refused to send Horse and Armes to the musters, when by the Deputy Lieutenants appointed by Power of Parliament, they have been required to doe; or such Clergie-men and others that have publickly preached or declared themselves to oppose, disgrace or revile the proceedings of both, or either Houses of Parliament: And to seize upon the Armes, Ammunition and Horses fit for service in the Warre, that belong to such person and persons, the same Horses, Armes and Ammunition, to be employed and disposed of by the direction of one, or more of the Deputy Lieutenants of the said Counties for the publick service and defence of the severall Counties; And in the meane time to be kept in some safe place.

8. That in every County the Lord Lieutenants, Deputy Lieutenants, or any two or more of them do cause the severall companies of the Trained Bands, and Voluntiers to be put into Regiments; And to nominate, appoint and place Colonels, Lieutenant Colonels, Serjeant Majors, Captaines, Lieutenants,

and other Officers in every Regiment and Company where any such are wanting, or when such as are, and have bin nominated, have refused to execute those places.

9 That the Lord Lieutenants, Deputy Lieutenants, or any two of them in each County respectively, do nominate and appoint one experienced Souldier in every Regiment, to be an Adjutor, to be Resident in the said Counties, to exercise the severall Companies of the said Regiment; And to be aiding and assisting to the Colonell from time to time; and to doe and performe all such commands as hee shall receive from the Lord Lieutenants, Deputy Lieutenants, or the said Colonels: And also to have in every Regiment one experienced Souldier to be a Sergeant, to exercise and teach the severall Companies, and to execute the commands of the Lord Lieutenants, Deputy Lieutenants, or the Colonels, Lieutenant Colonels, or Serjeant Major of the said Regiment, and the said Serjeant, to have the pay of a Serjeant to a Company; And also that in each Troop of Horse, there be an experienced Souldier appointed to be a Corporall.

10 That the Dragoneers be put into companies, and that one hundred and twelve be allotted to a company, and that each company of Dragoneers have an experienced Souldier to be a corporall, and hee to have the present pay of a corporall.

11 That the Lord Lieutenants, Deputy Lieutenants in each county respectively, or any two or more of them, shall, and may give command and directions from time to time to secure and fortifie all Bridges, cawseys, and Passages, and in times of approach of an enemy or feare of any invasion by an enemy, to pull down, or stop the Bridges, cawseys, passages, and to cut the Banks in the said Counties respectively; And to have power to fortifie and secure any Town, Hundred, or Hamlet, where the said Town, Hundred, or Hamlet are willing to do the same at their own proper charges: And also to have power at all times to seize and stop all Barges, Boats, or other Vessels passing by water for the safety of the said County.

12 That the said Lord Lieutenants, Deputy Lieutenants or any two of them, shall, and may imprison, or commit to safe custody, all and every such persons, as being able and have due Summons, doe notwithstanding refuse or wilfully neglect to appear at Muster, or to send some able persons to be allowed of, by the captain or chief Officer of the company in his behalf.

The Resolution and Association of the aforesaid Counties.

VV Here as the Lords and Commons now assembled in Parliament, have taken into their considerations, That in times so full of Division and Danger as these are, an Union of our Hearts and Forces is most conducing to the publick good, and safety of the whole Kingdom: And have therefore obtained, That the Inhabitants of the Countiees of Essex, Suffolk, Norfolk, Cambridge, and Hartfordshire, together with the Isle of Ely, and the Countie of the City of Norwich, should enter into an Association with one another, for the mayntenance and preservation of the peace of the said Countiees. Therefore in pursuance of the said Order, and the better to confirm a mutuall confidence in one another; Wee whose Names are herennto subscribed, doe hereby promise, testifie, and declare, to mayntain and defend, with our Lives, Powers, and Estates, the Peace of the said Countiees. And to Aid and Assist one another, under the Command and Conduct of such Person as now hath, or hereafter shall have by the Authority of both Houses of Parliament, the Command in chief of all the Forces of the said Countiees, according to the true intent and meaning of the said Order of Association: Whereunto We doe most willingly give our Assents; And neither for hope, fear, or other respect, shall ever relinquish this promise.

VV E the Inhabitants in the county of
Wee whose Names are here underwritten, doe hereby ingage our selves to provide Horses and Arms, and to mayntain and find all our own proper costs and charges, and at all times to have in a readinesse for the service of this and those other countiees now associated together by the authority of both Houses of Parliament, so many men compleatly armed and furnished, and such Horses, Geldings, Nags, Mares, as wee have respectively subscribed for, to be commanded, lead, and conducted into any parts and places within the said county, by such person as now hath, or hereafter shall have the command in chief of all the Forces of the said countiees.

Ordered by the Lords and Commons in Parliament, That this Declaration, Instructions, and Resolution be forth-with Printed and published.

John Brown, Cleric. Parliament.

H. Elsing Cler. Parl. D. Com.

F I N I S.

By

A Proclamation touching the Adjourning of part of *Hilary Terme.*

THe Kings most excellent Maiesty being now involved in an unnatural War, raised against Him by divers of His own Subjects, and finding no hope of a present Peace, which He hath much desired and indeavoured, and being now settled at His City of Oxford, in His own Person and His Army attending Him there for His necessary defence for this Winter season, hoping that, before any new occasions shall be offered for the effusion of more blood unnaturally spilt, it will please God, who is the God of Peace, to open some way to attaine thereunto, which some by all meanes endeavour to divert, hath amongst other things which concerne the Good and Prosperity of His people taken into His Princely consideration, how, and in what place, and in what manner the next ensuing Hilary Terme with most conveniency for Himselfe, and His own affairs, and for His good Subiects may be held in a time of so much danger and distraction; and upon serious weighing of all Circumstances fit to be considered of, His Maiesty hath resolved, and by this His Royal Proclamation doth Order, Appoint, Declare, and Publish, That because the Lord Keeper of the great Seale, is the Supream Judge of the High Court of Chancery, and he must necessarily attend His Maiesties Person, that the said Court of Chancery, and all proceedings of what kinds or sort soever shall, and by these presents are, and stand adjourned to the City of Oxford, where His Maiesties residence now is & for that time is likely to be for the whole Term of Saint Hilary now next ensuing, and shall begin, and be there held and continued upon, and from the three & twentieth day of January, now next ensuing, untill and upon the Thirteenth day of February then next following. And because the Commissioners for His Maiesties Treasury, and the Chancelloz of the Exchequer, are likewise here attending His Person, that the Receipt of His Maiesties Exchequer, and of the first Fruits, and Tenths payable by all Spirituall Persons, and others, shall be, and by these presents is and stand adjourned for and during all the Term and time aforesaid, unto the said City of Oxford and shall be there held and continued. And because the Court of the Duchie of Lancaster may with more ease and conveniency to all His Maiesties Officers, and loving Subiects having occasion to attend the same, be kept in the City of Oxford, then at the City of Westminster in these troublesome times, that the said Court of Duchy of Lancaster shall be, and by these presents is, and stands adjourned for, and during all the Term and time aforesaid unto the said City of Oxford, and shall be there held and continued. And because His Maiesties Court of Wards, and Liveries is principally intent upon matters of His Revenue,

and

and the same with much more convenienty to His Majesty, and with as little inconvenienty to His Subjects having businesse therein, may be as well held in Oxford, as in Westminster, His Majesty doth farther also by these Presents, Order, Appoint, Declare and Publish, That the said Court of Wards and Liveries shall be, and by these Presents is, and stands adjourned for, and during all the Term and time aforesaid from the said City of Westminster. unto the said City of Oxford, and shall be there held and continued. And because it is most proper that the Lords Pryvy-Seal for the time being, and the Masters of Requests to His Majesty, who are Councell of the Court of White-Hall, or Court of Requests should attend His Majesties Person, whersoever He is, or shall be; and all Suits depending in that Court, are properly depending before his Majesty, and the Bills there exhibited unto His Majesty and to none other; His Majesty doth likewise Order, Appoint, Declare and Publish, That the said Court of Requests, or Court of White-Hall shall be, and by these Presents is Adjourned from Westminster aforesaid, unto the said City of Oxford, and for, and during all the Term and time aforesaid shall there be held and continued. And because in the time of this miserable distraction, the Subjects of this Kingdom, having Suits in any of the Courts of the Kings-Bench, Common-pleas, and Exchequer, cannot with such safety and contentment as His Majesty wisheth unto them, attend their Suits and Causes depending in any of the said three Courts. And yet that many Causes of smaller moment may be dispatched without the Clients and Suitors themselves, by their Attorneyes, and Solicitors, if but a part of the said Term may be held and kept in the places where the Records of those Courts now are, and from whence without very much trouble and charge they cannot be removed; His Majesty hath further resolved, and by these Presents doth Publish and declare, That he shall, and will by His Writs of Adjournment totally Adjourn the two first Returns of the said ensuing Term of Saint Hilary, commonly called *Octabis Hillarii*, and *Quindena Hillarii*, untill the Return called *Crastino Purificationis*, and the two last Returns of the said Term called *Crastino Purificationis*, and *Octabis Purificationis*, shall be held at Westminster in the usuall places where formerly they were held. All which His Majesty signifieth to all and singular his Officers, Ministers and loving Subjects of this His Realm, to the intent that they, and every of them who have, or shall have any Suit, or other occasion to attend any of the said Courts of Chancery, Receipt of the Exchequer, and of first Fruits and Tenths, Duchy of Lancaster, Court of Wards and Liveries, and Court of Requests, may give their attendances at the said City

of Oxford as aforesaid, and not elsewhere; and that such of them as have, or shall have cause to attend, or who have cause or commandment to appear in any of His Majesties said Courts of Kings-Bench, Common-pleas, and Exchequer at Westminster, in or at the said Returns of *Idibus Hillarii*, and *Quindena Hillarii*, or in, or at any day or time from and after the said Returns of *Idibus Hillarii*, and *Quindena Hillarii*, and before the said Return of *Crastino Purificationis*, may tarry at their dwellings, or where their business otherwise shall lie, without resorting to any of the said Courts for that cause before the said Return of *Crastino Purificationis* next coming, and that without danger of forfeiture, penalty, or contempt, to incur towards His Majesty in that behalf. And nevertheless His Majesties pleasure is, That two of His Justices, that is to say, Of either Bench one, shall the first day of the Term of Saint Hilary, called *Idibus Hillarii*, according to the ancient order of the Laws, keep the *Edjourns* of the said *Idibus Hillarii*, at which Return of *Idibus Hillarii* Writs of Adjournment shall be directed to the said Justices, giving them authority to Adjourn part of the said Term of Saint Hilary; that is to say, from *Idibus Hillarii*, untill the said Return of *Crastino Purificationis*, as before is said; and the same Adjournment shall be made in the first day of the said *Idibus Hillarii*, commonly called the day of the *Esjourn*. Willing and commanding all and every of His Majesties Officers, Ministers, and Subjects to whom it doth, or shall appertain, to observe and keep their Assemblies, and Appearances, with all their Returns, and Certificates in His Highnesses said Courts at Westminster In *Crastino Purificationis* next, then and there to be holden and kept, and there to do their Offices and Duties in every behalf in like manner and and so far as they should or ought to have done, if this present Proclamation had not been had or made, as they will answer the contrary at their Perills.

¶ Given at His Majesties Court at Oxford, the 27 day of December, in the Eighteenth year of His Reign.

God save the King.

A Remonstrance of the present state of Yorkshire.

THE most part of the Earl of Newcastle his Forces, lye upon the Countrey towards *Hallifax*; and other Clothing Towns in that County, they seiz the persons of all men they can of that County, who have not acted their way, and do lay *Mulcts* upon them at high Rates, some at 3000. l.

some

some at 2000. l. and at lesser sums to one hundred pounds a man. Their Way of assessing the rest of the County is this; they asse every man who formerly found a Light-horse (though a friend to their cause) at a hundred pounds, and every man that found either Musquet, or Pike, they asse at 40. shillings: And who of either of those sorts they esteem not friends, they asse them at two parts and three parts more, and some at four, with the penalty of three times the value more to be leaved upon their Goods or Lands, who pay not the severall Rates assessed at the dayes assigned, which they have inflicted upon divers men; In particular they have among many others, assessed Master *John Savill* one of the Tellers of the Exchequer, 3000. l. Sir *Thomas Wentworth*, 2500. l. Sir *Christopher Dawney*, 2000. l. Master *Thomas Vincent*, at a thousand Marks, Sir *Nicholas Yarbrough* and Master *Thomas Bosevile* at five hundred pounds a man. They send out Warrants, commanding the Countrey to appear upon the Commission of *Array*, giving out they will proceed by Commission of *Oyer and Terminer*, against all that obey not those Warrants, or shall any wayes obstruct the proceedings of their Army.

The Prisoners they take they use with great cruelty; They sent a Trooper who had lately been servant to Sir *Thomas Wentworth*, to apprehend his brother *Darcy Wentworth*, who standing upon his defence, slew the Trooper.

Whereupon they sent a party to take the said Master *Wentworth*, and having apprehended him, immediately condemned him to be shot to death, and accordingly brought him to a stake, where they put him to redeem his life, with a greater sum then his estate can satisfie, which if he pay not, they resolve to execute him.

A Letter sent to the House of Commons, of Colonell Gorings

landing at Newcastle, &c.

Worthy Sir,

MY last unto you was on *Friday*, therein requesting you to send my wife a little of your wifes Balsome for her sore Breasts; and I hope this day or on *Friday* next to receive it, for which I shall rest obliged. Yesterday here came in two Ships from *Newcastle*, who bring certain News, that Colonell *Goring* with 10000. Arms, 20. pieces of Ordnance, 20000. pounds, and old Commanders to the number of 80. with many Horse for service, Waggon, &c. are there landed; he hath brought over with him a Standard from the Queen, which is to be advanced in the Head of the Lord of *Newcastle's* Army, the which is now called the *Catholike Army*, and well it may, there being six or seven thousand known Papists and Recu-

ants serving therein, a fearfull thing, and likely to prove more formidable to this Kingdom then any other Forces-elsewhere.

The Governour of the Castle at *Tinmouth-Bar*, hath laid a Tax upon all laden Ships bound with their Coale for *London*, on some thirty, on some fou ty, and on some fifty pounds *per Ship*, so that I beleeeve coals will be very dear ere long.

Pray Sir write me a word or two what Ships the company intends to set forth this Yeer, and to what Ports, and I shall ever rest;

Ipswich, 27. of December 1642.

Yours to command,

Ordered by the Commons Assembled in Parliament, That this Remonstrance and Letter be forthwith Printed and Published.

Hen. Eljngre, Cler. Parl. Dom. Com.

A Declaration of the Lords and Commons Assembled in Parliament, for the defence and preservation of Hertfordshire, and other places and Counties adjoyning.

WHereas great Forces of Papists, and other ill-affected persons are now in actuall War against the King, the Parliament and the whole Kingdom; and part of those Forces being now drawn to *Brill* in the County of *Buckingham*, and other places adjoyning; have according to their usuage, plundered, robbed, pillaged and murdered divers good Protestants thereabouts; and threaten to march into the County of *Hertford*, and other Counties that way, there to commit the like outrages, and barbarous cruelties, as they have done in places where they have formerly been.

The *Lords and Commons* in Parliament, being most desirous to prevent these miseries, and to suppress the Authors of them; For the better effecting thereof, do hereby desire all well affected persons of the County of *Hertford*, and other Counties and places adjoyning, forthwith to raise all such Forces of Horse, and Foot as they can make; and to march with them to *Alsbury* in the County of *Buckingham*, or to such other place as they shall be directed by order from both Houses of Parliament, or from the Earl of *Essex* Lord generall, and to joyn with, and assist the Forces raised by authority of Parliament, for the defence of themselves, their families, and estates, and the true Protestant Religion, and for the suppressing and punishing those Forces at *Brill*, and all other their adherents, notorious enemies to the King, and Kingdom; And such well-affected persons as the County of *Hertford*, or any other Counties, or places whatsoever, that shall joyn with, and assist the Forces

raised

raised by Authority of Parliament, for the purposes above mentioned, shall therein do a very acceptable service to the Common-wealth, and shall be assisted and protected by the power and authority of Parliament.

Die Lune, 2 Januarii. 1643.

Ordered by the Lords and Commons assembled in Parliament, That this Declaration be forthwith printed and published.

J^s. Brown Clk. Parliam.

By the King.

¶ A Proclamation prohibiting the buying or disposing of any the lading of the Ship called the *Santa Clara*, lately brought into *South-Hampton*.

Complaint having been made unto His Majesty, by Don Alonso de Cardenas, Ambassadour from the King of Spain, That a Ship called the *Santa Clara*, belonging to the said King and His Subjects, hath been lately treacherously brought to *South-Hampton*, by one Captain Bennet Strassford, and others from *Santo Domingo*, the said Ship being laden with Silver, Cochineale, and other Wares and Merchandizes, to a very great value; And the said Ship and Goods being by the said Ambassadors arrested, and the said Bennet Strassford apprehended, whilst a suit for the said Ship and Goods is depending in the Court of Admiralty, the Silver (part of the lading of the said Ship to a very great value) hath been disposed of contrary to Law, without any other security given for the same, then the empty name of public Faith, which without His Majesty cannot (as is well known to all the world) be engaged, or if engaged without His Majesty, is not valid, or to be relied on for satisfaction. And it is further complained by the said Ambassadors, That the Cochineale, and other Merchandizes formerly requested at *London* and *South-Hampton*, albeit they are not perishable, but have rather increased in their price and value, are likely to be sold against the will of those who pretend to be the owners, (parties to the suit depending in the said Court of Admiralty) which is alleged to be apparently against the rules of Law, and practices of that Court in such Cases. His Majesty well weighing what may be the ill Consequences of such injurious proceedings, manifestly contrary to the Law, and the Articles of Treaty between the two Crowns; and plainly foreseeing how heavily it may light upon such of His good Subjects, who have estates in Spain; and how destructive it may prove to the Trade and Commerce of His Subjects, doth hereby not onely expressly charge and command the Judge of His Admiralty, and all others whom it may concern, to proceed in a Business of such value and consequence, with

rate, expedition, and according to Justice; but doth also expressly prohibite all persons, of what condition soever, upon pretence of any Order or Warrant from one or both Houses of Parliament, or any Authority derived from thence, to buy, meddle with, or dispose of any part of the said Treheneale, and other Goods or Merchandizes belonging to the said Ship, untill the propriety thereof shall be judicially decided and determined, upon pain of His Majesties high displeasure, and of being responsible and liable to the payment and satisfaction for whatsoever damage shall happen to any of His Majesties Subjects whose goods or estates shall for that cause be imbarqued or seized in Spain.

Given at the Court at Oxford, the second day of January, in the eighteenth yeer of His Majesties Reign. *God save the King.*

A Declaration of the Lords and Commons assembled in Parliament.

THE Lords and Commons now in Parliament assembled, being certainly informed that Papists, and other wicked, and ill-affected persons, have traiterously combined together, and entered into association, and have raised, and daily do raise great Forces, both of Horse and Foot, in severall Counties of this Kingdom, and have plundered, spoyled, and destroyed multitudes of His Majesties good Subjects, and if not timely prevented, will utterly subvert, and destroy the true Protestant Religion (which is their chief design) the Laws of the Land, the Priviledges of Parliament, and the Liberty of the Subjects. The said Lords and Commons do declare, That they hold it a thing most fit and necessary for the present state of this Kingdom. And for the better securing of the County of Warwick, and City and County of Coventry, and of the County of Stafford, and City and County of Lichfield, and the parts adjacent to the said Counties, and do accordingly Order and Ordain; That the Lords Lieutenants, and the Committees of Parliament hereafter named (that is to say) for the County of Warwick, and City and County of Coventry, Sir Peter Wentworth Knight of the Bath, William Purefoy Esquire, Godfrey Bosvile Esquire, John Barker Esquire, William Iesson Esquire, the present Major of the City of Coventry, John Hales Esquire, Anthony Strongton Esquire, Thomas Boughton Esquire, William Colmore Esquire, George Abbot Esquire, and Thomas Basnet Alderman, and for the County of Stafford, and City and County of Lichfield, Sir Hugh Wrottesley Knight and Baronet, Sir Charles Egerton, Knight, T. Crompton Esquire, Edward Manwayring Esquire, Thomas Parkes Esquire, John Skyrinsley Esquire, Gerard Skyrinsley Esquire, Edward Leigh Esquire, Richard Broughton Esquire, Matthew

Morcton

Moreton Esquire Richard Payot Esquire, George Parker Esquire, Humphrey Wicley, Rowland Cotton Esquires, Walter Grosvenor Esquire, Richard Flier Esquir, Francis Collier Esquire, Richard Bowyer Esquire, Ralph Rudier Esquire, The Major of Stafford for the time being, Edward Broughton Gent. John Birch Gent. Philip Jackson Gent. Henry Stone Gent. John Swinfield Gent. The Bailiffs and Shrieff of the City of Lichfield for the time being, John Burne Gent. Richard Baxter Gent. And all Colonells, Lieutenant Colonells, Serjeant Majors, and other Captains and Officers, and all other well affected persons inhabiting within the said severall Counties, and Cities and parts adjacent shall and may Associate themselves, and mutually aid, and succour, and assist one another, in the mutuall preservation and defence of themselves, and the peace of the said Cities and Counties from all rapine, plundering, and spoilings of the said Papists, and ill affected persons. And it is further ordered, ordained, and declared that the said Lord Lieutenants, Committees of Parliament, Colonells, Lieutenants Colonells, Seajant Majors, Captains and other Officers, have power and authority, to raise Forces of Horse, and foot, and to lead them into any place which shall be fitting and convenient, and to give battell, and to fight with all such as are, or shall be raised to leavy War against the Parliament, and all other forces raised without Authority and consent of both Houses of Parliament, that make any insurrection, and plunder, or destroy His Majesties good Subjects, And them to invade, resist, suppress, subdue, and pursue, kill, and slay, and put to execution of death, and by all means to destroy as enemies to the Kingdom, and to perform all things else needfull for the preservation of the safety, and peace of the said Cities and Counties, and parts adjacent, observing from time to time such other directions, and commands, as they shal receive from both Houses of Parliament, or from the Earl of Essex Lord Generall, and that the said persons, and other the Inhabitants for so doing shall be saved and kept harmelesse by the power and authority of Parliament. And the said Lords and Commons taking into their serious consideration the necessity of appointing a Commander in Chief, over the Forces which are, or shall be raised in the Cities and Counties aforesaid, or any of them for the service aforesaid, in regard that by particular Commissions already granted to persons in the said severall Counties, there was no Power given to Lead Forces out of their own Counties. It is Ordered and Ordained that the Lord Generall, the Earl of Essex shall be desired to grant a Commission to Robert Lord Brooke, to Command in Chief as Generall of all the Forces, raised or to be raised in the said Cities, and Counties, and parts adjacent, and to have power to Lead, Command, and carry the same to such places within the said Cities and Counties, and parts adjacent, as he shall think fit for the defence thereof.

thereof. And likewise power to give the same Order and Instructions in the said Excellencies absence, for regulating the souldiers, which are or shall be under his command, as his said Excellency hath given to his Army, and to use Martiall-law, to compell obedience thereunto, as occasion shall require. And also power and authority to make and appoint all Officers for leavying, conducting, and leading the said Forces as he shall think fit.

Jo. Brown, Cler. Parliam.

Instruction for the Lords Lieutenants, Committees of Parliament, and other Officers and Commanders, in the Counties of Warwick and Stafford, and Cities and Counties of Coventy and Lichfield.

THat the Lords Lieutenants of the severall Counties of *Warwick* and *Stafford*, and Cities and Counties of *Coventry* and *Lichfield*, or the Committees of Parliament of the said cities and counties respectively, or any three or more of them, with all convenient speed do summon the severall Gentlemen, Freeholders, and other Inhabitants of the said severall cities and counties, as well within liberties and corporations as without, that do or are able to bear or finde Armes, to such places in the said severall counties and cities as they hold most fitting, and at such meetings, to take a view what Armes and Force can be raised in the said cities and counties respectively, and examine the defects of Armes and Ammunition, and to consult of some fitting course how to have the want of Armes and other defects to be supplied: And at such meetings or at any other fit time and times, with the assistance of the Committee for the Propositions, and subscriptions in the severall counties and cities aforesaid, and parts adjacent, or any two of them, shall and may propound to all the Inhabitants of the said cities and counties that are able to bear or finde Armes, or to contribute towards the same, what present or imminent danger and necessity the whole Kingdom is now reduced unto, by the wicked advice, and attempts, and conspiracies of Papists and other persons now about His Majestie, and to propound to them to joyn in Association and mutuall defence of one another, according to the form of an Association hereunto annexed: And to require them to set down in writings, and subscribe what Armes for Horse and Foot, what Horse either for Dragoons, or others they will have in readinesse upon every just occasion for the defence of the said cities and counties.

Secondly, the better to prevent the plundering, and spoyling of the said cities and counties, and the parts adjacent, and to have meanes for the furnishing of Arms and Ammunition, making of Fortifications and payment

at the Garrisons, Officers and Souldiers, and other publike necessary charges, That hereby forthwith raised in the said severall cities and counties respectively, and in the corporations, constabularies, and Parishes thereof, such sums of money as shall necessarily be disbursed and expended for the uses aforesaid; The same sums to be raised and assessed in like sort as was the four hundred thousand pounds granted by Act this present Parliament, wherein the persons who have not subscribed to the Parliaments late Propositions, shall be assessed, and their Assessments levied in such sort as by the Ordinance late made for the City of London, and the parts adjacent, such like persons are to be assessed, and their Assessments levied: For which sums of money, so rated and levied and expended as aforesaid, the Lord Lievtenant and Committee, shall be accountable for their proceeding therein, to both Houses of Parliament, and none else.

And for the better levying of the said sums of money, That the said Lords Lieutenants, and the said Committee of the said Counties respectively, or any three or more of them, shall or may assess and tax, or cause to be assessed or taxed, the said sums, upon the said severall Cities and Counties, and the Corporations, Towns, Constabularies and Parishes within the same, in like manner as is aforesaid; And that they, or any three or more of them, nominate and appoint Treasurers, Collectors and Assessors, in every of the said Counties, for the assessing, receiving and collecting the said sums of money; And shall and may grant Warrants under their hands and seals in writing, to any Constable, or other Officer whatsoever, to raise and levy the said sums so to be assessed and taxed as aforesaid, upon all such persons upon whom any such sums shall be so assessed and set, that do refuse or neglect to pay the same; it shall and may be lawfull to and for the said Assessors, or any other persons to whom Warrants by the Lords Lieutenants, and Committees respectively shall be granted to levy the said sums so assessed by way of distress, and rate of the goods of the person so assessed and refusing. And if any person so distrained shall make resistance, it shall and may be lawfull to and for the respective Lords-Lieutenants, and Committees, to send any of the Trained Bands, or other souldiers of the respective Counties and Cities aforesaid, to compell the said parties so refusing, to obedience of this Ordinance. And in case no distress is or may be found, then the said respective Lords Lieutenants, and Committees aforesaid, or any three or more of them, shall or may commit such person and persons so refusing to pay as aforesaid, to some common Gaole, there to remain without Bayl or Main-prize, untill payment made of such sum and loans as aforesaid.

Thirdly, That all Sheriffs, Justices of Peace, Maiors, Bayliffs, Constables,

and all other His Majesties Officers, as well within liberties as without, be from time to time ayding and assisting unto the said Lords Lieutenants and Committees, in execution of the power to them given by the Lords and Commons in Parliament, and of these Instructions.

Fourthly, That no Treasurer or Receiver of any money, shall issue out any money, but under the hands of the Lords Lieutenants and Committees, or any three of them in every County respectively. And that the severall Lord Lieutenants, and Committees, do not sign or grant any Warrants for the issuing or paying any sum or sums, but for the furnishing of Arms and Ammunition, making of Fortifications, payment of Officers and Souldiers, and other necessary publicke charges, tending to the safety and preservation of the said Cities and Counties, and not otherwise.

Fifthly, That the said Lord Lieutenants and Committees of every the said cities and counties respectively, or any three or more of them, shall and may from time to time raise such and so many of the Trained Bands, and other persons inhabiting in the said cities and counties, as they shall judge it necessary and fitting, to enter into the houses of all Papists, and other persons that are voted to be Delinquents by both or either House of Parliament, or that have put in execution the Commission of Array; or that have been present with, or ayding or assisting to His Majesty in this unnaturall Warre against the Parliament; or that being of ability, have not contributed upon the Propositions of raising of Horse, Money, or Plate, for the defence of the King and Parliament; or that have refused to send Horse and Arms to the Musters, when by the Deputy-Lieutenants appointed by the Power of Parliament, they having been required so to do; or such Clergie-men and others that have publickely Preached, or declared themselves to oppose, disgrace, or revile the proceedings of both or either House of Parliament; and to seize upon the Arms, Ammunition, and Horses fit for service in the Warre, that belong to such person and persons, the same Horses, Arms, and Ammunition to be employed and disposed of by the direction of the said Lords Lieutenants, and Committees of the said severall and respective Cities and Counties, or any three or more of them, for the publique service, and defence of the severall Cities and Counties aforesaid.

Sixthly, That the said Lords Lieutenants, and Committees, or any three or more of them, do cause the severall companies of the Trained Bands and Nolluntiers to be put into Regiments, and to nominate, appoint, and place Colonells, Lieutenant-colonells, Serjeant-Majors, captains, Lieutenants, and other Officers to every Regiment and company where any
such

such are wanting, or when such as are and have been nominated, have refused to execute those places.

Seventhly, That the Dragooners be put into companies, and that one hundred and twelve be allotted to a company, and that each company of Dragooners have an experienced Souldier to be a Corporall, and to have the present pay of a corporall.

Eighthly, That the said Lords Lieutenants, and Committees in each county respectively, or any three or more of them, shall and may give command and directions from time to time, to secure and certifie all Bridges, cawseyes, and Passages; and in times of approach of an Enemy, or fear of any Invasion by an Enemy, to pull down or stop the Bridges, cawseyes, Passages, and to cut the Banks of the said counties respectively. And to have power to fortifie and secure any Town, Hundred, or Hamlet where the said Town, Hundred, or Hamlet are willing to do the same at their own proper charges. Also to have power at all times to seize and stop all Barges, Boats, or other Vessells passing by water for the safety of the said cities and counties, and places adjacent

Ninthly, it is further Ordered and Declared, That the said Committees for the said severall cities and counties respectively, shall or may call unto their assistance such person and persons as they shall think fit, for the better and more orderly execution and performance of these Instructions.

Tenthly, The Lords Lieutenants, or Committees, or any three or more of them, shall or may imprison, and commit to safe custody all and every such persons as being able, and have had due summons, do notwithstanding refuse, or wilfully neglect to appear at Muster, or to send some able persons to be allowed of by the captains, or chief Officers of the company in his behalf.

And it is lastly Ordered and Declared, That the Instructions of the fifteenth day of August last past for John Hales, Isaac Bronwich Esquire, John Barker Alderman, Thomas Basnet, Alderman, and Robert Phipps Gentleman, appointed to take care of the peace of the city of Coventry, shall be henceforth void, and of no effect.

Jo^h. Brown,
Cler. Parl.

Henry Elsyng.
Cler. Parl. D. Com.

WE whose names are under-written, Inhabitants of the Counties of Warwick, and Stafford, and of the Cities and Counties of Coventry and Lichfield, and parts adjacent, do hereby engage ourselves to provide Horse and Arms, and to maintain and finde at our own proper cost and charges, and at all times to have in readinesse for the service of the said Cities and Counties, and parts adjacent now associated together by Authority of both Houses of Parliament, so many men compleatly armed and furnished, and such Horses, Geldings, Naggs, Mares, as We have severally and respectively subscribed for, to be commanded, led, and conducted in any parts and places Within the said Cities, Counties, or parts adjacent, by such persons as now have, or hereafter shall have the command in chief of all the said Forces of the said Cities, Counties, and parts adjacent.

Whereas the Lords and Commons assembled in Parliament have taken into their consideration, That in times so full of division and danger as these are, in union of our hearts and Forces, it is most conducing to the publike good, and safety of the whole Kingdom; and have therefore ordained, That the Inhabitants of the Counties of Warwick and Stafford, and of the Cities and Counties of Coventry and Lichfield should enter into Association with one another, for the maintenance and preservation of the same Cities and Counties. Therefore in pursuance of the said Order, and the better to confirm a mutuall confidence in one another, We whose names are hereunto subscribed, do hereby promise, testifie, and declare to maintain and defend with our lives, power, and estates, the peace of the said Cities and Counties, and parts adjacent, and to ayd and assist one another under the command and conduct of such persons as now have, or hereafter shall have by the Authority of both Houses of Parliament; or the Lord Generall, the command in chief of all the Forces of the said Cities and Counties, according to the true intent and meaning of the said Order of Association, wherunto we most Willingly give our assent, and neither for hope, fear, or other respects, shall ever relinquishe this promise.

Ordered to be Printed.

Joh. Brown,
Cler. Parliament.

Hen. Elsynge,
Cler. Parl. D. Com.

A De-

A Declaration of the Lords and Commons assembled in Parliament, concerning the late Treaty of Peace in Cheshire.

Die Sabbathi, 7. Jan. 1642.

VPon perusall of certain Articles, Dated the 23. of December 1642. Between some of the Deputy Lieutenants of the County of *Cheshire*, well affected to the Peace of the Kingdom, and others, who have declared themselves in sundry actions, Opposers of the proceedings of Parliament, and furtherers of the Warre raised against them, and of many Injuries and and Oppressions lately exercised upon the good Subjects, Inhabitants of of that County; And being confident, that if the said Deputy Lieutenants, who were parties to that Agreement, have known by what Acts and Designs this Agreement was plotted by the other side, and how dangerous and mischievous it must needs be, both in the effect and in the consequence; their good intentions to the Peace of that County, and of the Kingdom are such, that they would never have consented to any thing so prejudiciall thereunto, as the seeming Neutrality would be, by making that County prepared by this meanes, to prevent all Associations and mutuall Reliefe to *Lancashire*, and other Neighbour Counties, and to hinder the firm settling of that County for the Parliament, and many other wayes serviceable to those ill Counsellors, whereby His Majestie is incited against His Subjects; but no way usefull to the Parliament in protecting of them; Wherefore the Lords and Commons do Declare;

1. First, That none of the parties to that Agreement, had any authority by any Act of theirs, to binde that County to any such Neutrality, as is mentioned in that Agreement, it being a peculiar and proper power and privilege of Parliament, where the whole Body of the Kingdom is represented, to binde all, or any part thereof.

2. That it is very prejudiciall and dangerous to the whole Kingdom, that any County should withdraw themselves from the assistance of the rest, to which they are bound by Law, and by severall Orders and Declarations of Parliament.

3. That it is very derogatory to the power and authority of Parliament, that any private men should take upon them to suspend the Execution of the Ordinance of *Militia*, and of Associations, declared by both Houses to be according to Law, and very necessary at this time, for the preservation and safety of this Kingdom; or to hinder the fruit and benefit of any other Ordinance of Parliament, lately made in the behalf of that County.

4. That many things in that Agreement are very unequal, contrary to the nature of a Neutrality (being much more advantageous to the one side, then to the other, and prejudiciall to the publike defence of the Kingdom) undertaken by the Parliament, and would be a great impediment to that good Agreement betwixt His Majesty and His Subjects, which both Houses do earnestly desire and endeavour.

For this, and other reasons, we hold our selves bound in conscience in performance of the severall Protestations that we have made to hinder all further proceedings upon that Agreement. And therefore it is Ordered the Lords and Commons, that no such Neutrality be observed in that county, which will secretly advantage the Forces raised there, and in the Neighbour counties against Parliament, and no way benefit *Cheshire*, but rather be most dangerous to them, by keeping that County without any defensive Forces; Whereby it will be open to the King, to bring back His Army thither at His pleasure; By which means it will become the State of the Warres, and if this should not fall out, yet if the rest of the Kingdom be suppressed, what hopes can *Cheshire* have, but to be Involved in the publike Misery: And therefore in wisdom free themselves, and Justice to the State, they ought not to withdraw themselves from the common Cause, but to joyn with the Parliament in defence of the Religion, and Liberty of the whole Kingdom, and with them to labour by all good means to procure a generall Peace and Protection from the King, for all His Subjects; and if they should suffer any particular counties to divide themselves from the rest of the Kingdom, it will be a means of bringing all to Ruine and Destruction; Wherefore it is further Declared, That neither the Gentlemen, who were parties to those Articles, nor any other Gentlemen, nor Inhabitants in that county, are bound by any such Agreement; But they are required to pursue their former resolutions, of maintaining and assisting the Parliament in defence of the common Cause, according to their generall Protestation, wherein they are bound with the rest of the Kingdom, and according to such Orders, and Commissions, as they, or any of them have already received, or shall receive from both Houses of Parliament; From the Committee of Lords and Commons appointed for the Safety of the Kingdom, or from the Earl of *Essex* Lord Generall.

Die Sabbathi, 7. Jan. 1642.

Ordered by the Lords and Commons assembled in Parliament, that this Declaration shall be forthwith Printed and published, and read in all Parish Churches and Chappels in the County of *Cheshire*, by the Parsons, Vicars, or Curates of the same.

Jo. Bro. Cler. Parl.

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Die Sabbathi, Januar. 7 1643.

A Declaration of both Houses of Parliament, shewing the necessity of a present Subscription of Money and Plate, for further supply of the Army.

THe pressing necessities of this Kingdom, caused and daily multiplied by the traitorous and bloody counsels and attempts of those pernicious and desperate Counsellors, still about the King, and protected by Him, while they more and more manifest their implacable enmity to our Religion, the Parliament, and peace of all His Majesties good Subjects and Dominions, have been such, and so many, as have compelled us the Lords and Commons Assembled in Parliament, to borrow more and far greater summes of Money, upon the Publique Faith, (besides those which we our selves advanced for the preservation of our Religion, the being (as well as the just and undoubted power and priviledges of Parliament, our Laws and Liberties, from most apparent destruction) then at first we intended, and to be longer in repaying the same (which we still unanimously resolve shall be fully payed back with interest) then heretofore we promised. And albeit we be now preparing and expediting sundry Propositions to be humbly and speedily presented to His Majesty for an honourable and firm settling of the publique Peace, without more effusion of Christian blood, yet no Rationall man can be ignorant of the further necessity of providing more Treasure, as well for support of the Army raised by authority of Parliament, untill the King shall vouchsafe graciously to condescend to our just and necessary requests; As for the full payment of all such sums of Money as already are, or further may be due, and arrears for the necessary provision of Arms, Ammunition, and pay of the said Army, untill their Disbanding and return home to their severall Countreies (according to the times to be limited for that purpose) that so they may not be occasioned through want of pay to plunder, rob, or pillage by the way homewards, after their discharge and dismissal.

Upon these grounds alone, we might very well recommend to the good affections and zeal of all good men within the City of London and thorowout the Kingdom, a new advance and loan of a very large and considerable sum of Money; lest (while all we have is now in more imminent danger
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then ever) not onely all the Moneys already lent , but all those Treasures of our Religion , Lawes , and Liberties (which ought to be more precious to us then our whole estates and lives , which we have solemnly devoted to the defence of this cause) be utterly lost for want of some further supply , to close and perfect the work in a safe and honourable way , whereby all these may be saved , and the Moneys already advanced for this service be in due time fully repayed.

But when we consider further , that (notwithstanding all His Majesties Protestations , Declarations , and Proclamations to the contrary) not onely a great number of known Papists are entertained , and imployed in His Majesties Army , who have actually leaved War against the King and Parliament ; But Commissions have issued under the great Seal of *England* , to the Earl of *Worcester* , and to the Earl of *Newcastle* ; by meanes whereof many thousands of professed Papists (whose very principles of Religion do ingage them to rebellion and shedding the blood of all Protestants ; and therefore ought not by the Lawes to be entrusted with Arms in their own houses , nor to come within the Verge of His Majesties Court) are gathered into great Bodies , and do actually bear Arms against the King , Parliament , and Kingdom , and have plundered , robbed , pillaged , and murdered very many of His Majesties good Protestant Subjects in the Northern parts , besides sundry other places of this Kingdom ; which Armies of Papists do daily encrease by the accession of many Arms and Popish Commanders from forraign parts , arriving at *Newcastle* , and other Ports , and joyning themselves with those professed enemies to our Religion , and to the Laws made to guard it , and to suppress or prevent their frequent Treasons and Rebellions ; and that it is notoriously known , that the Rebels in and about *Newcastle* , under the command of the Earl of *Newcastle* , do lay very great Impositions upon every ship-lading of Coals exported thence for the use of the City of *London* , and other places of this Kingdom ; and if these Impositions be not payd , stay is made of their Coal-ships , and some of them are compelled over-Sea , to fetch in more Men , Arms , and Ammunition , to furnish the said Popish Army , against us , and our Religion , by which means a great dearth of Coals must inevitably befall the poor people in and about *London* , that probably may occasion many dangerous tumults and commotions , while the said Popish Army is advancing toward *London* , with hope that by this and other their devilish Artifices , they may finde all in combustion here , whereby they may with lesse resistance pillage and sack this Citie , cut the throats of all men of estates , and ravish their wives and daughters without difference (for Papists , in such cases , never make difference between friends and enemies :) yea , so insolent and barbarous

are these bloody enemies become, that (while some men in these parts do causelessly murmur and complain if any thing, although it amount not to the thirtieth part of their estates, be required of them for their own preservation as well as for the publique safety) these Popish Rebels violently seiz upon the persons of so many men of quality and wealth as they can, although no enemies to their cause, and compell them to redeeme themselves; some at one thousand pound, some at two thousand pound, some at three thousand pound a man, inforcing others to bring in large contributions to the supply of their Army, even to the one half and more of some of their estates, and exacting the same with such rigour, that the miseries under which their friends as well as others do groan and mourn, without the least ease or pity, cannot be sufficiently expressed. Upon all which considerations we cannot but Declare, That we have just cause to suspect that however they abused His Majesty so far, as to obtain such illegall Commissions to leavie forces upon pretence of assisting His Majesty; yet having gotten power and strength into their hands, they will not lay down their Arms, even when His Majesty shall have laid down His, unless they may give Laws to the King and Parliament, for Toleration of their Superstition and Idolatry, and the abrogation of all Laws made against it, but will proceed with fire and sword to root out our Religion, and all that professe it, as they have already begun, and still proceed to do in *Ireland*, if there be not a good provision of Treasure to maintain and support our Army, not onely during the time of Treaty, but untill such time as the said Popish Army be dissolved, and the Papists sufficiently secured from ability and opportunity to disturbe that blessed peace and settling of our Religion and Laws, which now through Gods blessing may be happily obtained, as it is unfeignedly and earnestly desired by us: We therefore the Lords and Commons now assembled in Parliament, for the more speedy and effectuall provision of Moneys to be employed in quenching this unnaturall and bloody War now kindled, not onely in the heart, but in almost all parts of this Kingdom at once, by those Papists, persons Popishly affected, Traitorous and Delinquents about His Majesty, (who have already made this flourishing Nation to become a field of blood) have in the first place begun a new Subscription, and again Assessed our selves towards the raising of such a considerable sum of Money, as of necessity must be forthwith advanced, for the purpose aforesaid, albeit many of us be exceedingly prejudiced in our estates, by plundering, pillaging, and forced contribution to those enemies of the King and Kingdom in places where

any of our estates lie, and our respective lands are situated, besides the great charge and losses sustayned by our long attendance upon the Publique service of the King and Kingdom: And having by this our example recommended this work to be further advanced and carried on by all others who are touched with any sence of Piety to God, and their native Country, now in a flame, or of zeal to the true Religion professed amongst us, or of conscience in making good their solemn Protestation and Vow already made to Almighty God. We do further Order and require: That the severall persons hereunder named, or any three or more of them, do forthwith summon all the Inhabitants, and other residents within

which they, or any three, or more of them shall think fit to be summoned: And do likewise repair unto the severall houses, or places of abode of all the Inhabitants, and other residents, or sojourners within the said

which they, or any three, or more of them shall think fit to be repaired unto; And in the name of both Houses of Parliament do give hearty thanks to so many of them (whether summoned or repaired unto): as have already contributed by way of loan, or gift, any Money, Plate, Horse, or Arms, according to the Propositions of both Houses of Parliament, heretofore published in that behalf, or otherwise, assuring all and every of them, that the said Houses are very sensible of their alacrity and duty therein; and do resolve to be as carefull of their safety, well-fare, and reimbursement, as of their own, and to live and die with them in this cause: And likewise, that the said persons hereunder named, or any three, or more of them, do acquaint not onely those, but especially the rest of the said Inhabitants, who have not yet contributed, with the further urgent necessity of new subscriptions for Plate, and Money, still pressing beyond former expectation, and accordingly desire and stirre up them and every of them to under-write in a Book provided for that purpose (and wherein their names shall be registred whether they under-write or no) such summes of Money, and Plate, as may testifie their reall and further performance of their late Protestation, and sacred Vow to Almighty God, and of their readinesse to joyn with the rest of the Well-affected party of the Kingdom, and with us the Lords and Commons, who are resolved to pursue this work with our lives, persons, and estates, for their preservation as well as for our own: And because the successe of this further leave of Money, depends much upon the speedy bringing in thereof; It is therefore further Ordered, that all such persons as shall hereupon subscribe as aforesaid, be desired,

desired by the parties imployed to take their subscriptions, instantly to bring in one fourth part of the said Money, and Plate subscribed by each of them respectively, to the Treasurers for Money, and Plate formerly appointed in the Guild-Hall *London*, who shall thereupon give receipts for the same in manner and form already used: And that the second fourth part of their said subscription be likewise brought in, to the persons and places aforesaid at the end of one Moneth next after their subscriptions; And the third fourth part be accordingly brought in, at the end of the second Moneth after their said subscriptions; And the last payment at the end of the third Moneth next after their said subscriptions. And for the ease of such men so subscribing, whose occasions will not permit them to make their severall payments at Guild-Hall, at the times aforesaid, It is further Ordered, that the said parties imployed to take their said Subscriptions, or any two or more of them shall demand and receive of the said persons subscribing, the severall and respective sums so subscribed, and in arreare and unpaid by the space of six dayes after the severall times of payment, shall be respectively commenced, and expired, and shall give acquittances for the same in manner and form appointed and used upon the former subscriptions of Money and Plate: For all which both Houses of Parliament do hereby ingage the Publique Faith of the Kingdom; That they shall be repaid with eight pounds *per cent.* allowance for the same, according to the said former Propositions. And if any thing not mentioned in this Declaration and Order may conduce to the more effectuell promoting of this new Subscription, and the receipt thereof, the same is hereby referred to the wisdom and care of the Committee of Lords and Commons for advance of Money and other necessities for the Army, to be prosecuted and improved with effect.

And lastly, It is Ordered, that this Declaration and Order, be Printed and published.

Jo. Brown, Clk. Parliam.

Divers Ord^{rs} of the Committee of Lords and Commons for advance of Money, and other necessities for the Army, for the more effectuell and speedy promoting the said new Subscriptions, and the Receipts thereof.

Janu. 14 1642.

IT is Ordered by the Lords and Commons of the Committee for advance of Money and other necessities for the Army, that this Declaration

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ration be read by the Minister of each Parish Church within the Cities of *London* and *Westminster*, the Suburbs, and Liberties, and the Borough of *Southwark* and places adjacent, before the Congregation, to-morrow in the forenoon, and afternoon, and that the said Minister do use his best endeavour to exhort the people to the subscriptions herein desired, with all expedition.

JANUAR. 20. 1642.

THE Lords and Commons of the Committee for Advance of Monies and other necessities for the Army, being informed that the late Declaration for a new Subscription, was not published, nor exhortation made in sundry Churches the last Lords-Day, notwithstanding their Order requiring the same: Have now further Ordered, that the Ministers of each Parish, who have failed therein, do read the same the next Lords-Day, in their severall Churches, and exhort according to the former direction. It is also desired that all such Ministers as have already done it, do then again recommend this work to their Parishioners, using their best endeavours yet further to exhort them thereunto. And the Church-Wardens or any others Well-affected in each Parish are to give notice to this Committee, on Munday next, of such as fail herein.

JANUAR. 20. 1642.

WHEREAS by a Declaration and Order of both Houses of Parliament of the seventh of this instant *JANUARY*, It is Ordered, That if any thing not mentioned in the same Declaration and Order may conduce to the more effectuell Promoting of the Subscription therein mentioned, and the receipts thereof, the same is referred to the care of the Committee of Lords and Commons to be prosecuted and improved with effect. Now we do hereby declare, That although the said Declaration were directed to the severall Wards, yet it was intended and now is required, that the same shall bee distributed by the Common-Counsell men of each Ward, to the severall Parishes in their severall Wards, And that the Common-Counsell men in each Parish, together with the persons whose names are under-written to the said Declaration (in their respective Parishes) and such others as the said Common-Counsell men in their discretion shall appoint in each Parish, do take the Subscriptions of so many as they can in the Church, the next Lords-day, after the Ministers exhortation to this work,

work, and do the next day repair to the Houses of such as shall not Subscribe in the Church, and take their Subscriptions, and receive the Moneys as herein after is directed.

And we do Order, That the persons appointed, or to be appointed for the taking of the Subscriptions upon the said Declaration and Order, do (for the ease of the persons Subscribing, and more speedy furtherance of this work) collect and receive the summes of Money of the persons Subscribing, viz. The one fourth part thereof, within two dayes after such Subscription; One other fourth part, at the end of one Moneth next after their Subscription; And the third fourth part, at the end of the second Moneth next after such Subscription; And the last payment at the end of the third Moneth next after their Subscription:

And the said persons appointed to take Subscriptions, or any two of them are to give Acquittances for the same under their hands, to the persons Subscribing, for the summes received, and are to pay the same within two dayes after receipt of the respective summes received, unto the Treasurers upon the Propositions for Plate and Money in Guild-Hall London; And shall certifie under their hands, the names of the persons, and summes of Money so received; Whereupon the said Treasurers shall make severall Acquittances for each party so certified to be given to the persons appointed to take the said Subscriptions, who shall deliver the same to the particular persons Subscribing and paying as aforesaid; and take in the Acquittances by them formerly given.

And if any person Subscribe for Plate, or part Money, and part Plate, the same person is to carry it to the Treasurers in Guild-Hall, and take their Acquittances for the same; which Acquittances shall be speedily shewed to the persons appointed to take the said Subscriptions, that it may be by them certified to this Committee whether the Money and Plate Subscribed be paid in or not.

And it is required that this Order be observed as well by the persons Subscribed, as by the persons appointed to take the said Subscriptions, and by the Treasurers in Guild-Hall.

And lastly, it is Ordered that this be Printed and published.

Martin Dallison, Clerk of the Committee.

*A Declaration and Ordinance of the Lords and Commons in Parliament, for
the defence and preservation of the Inhabitants within the County
of Lincoln, and peace and quiet of the said County.*

THe Lords and Commons now in Parliament assembled, being certainly informed, That Papists and other wicked and ill-affected persons, have trayterously combined together, and entred into Association, and have raised, and dayly do raise great Forces both of Horse and Foot, in severall Counties of this Kingdom, and are at this present in a great Body together, under the command of *William*, Earl of *Newcastle*, in the Counties of *York* and *Nottingham*, where they have plundered, spoyled, and destroyed multitudes of His Majesties good Subjects; and if not timely prevented, will utterly subvert and destroy the true Protestant Religion (which is their chief design) the Laws of the Land, the Priviledges of Parliament, and the Liberty of the Subjects: The said Lords and Commons do declare, That they hold it a thing most fit, and necessary for the State of this Kingdom, and for the better securing of the County of *Lincoln*, City of *Lincoln*, and County of the same, Towns corporate, and parts adjacent to the said County; and accordingly Order and Ordain, That *Francis*, Lord *Wiloughby*, Lord-Lieutenant of the said county of *Lincoln*, and the Committees of Parliament for the Propositions of Subscriptions of Money, Horse, and Plate for the said county, city of *Lincoln*, and county of the same; the high Sheriff of the county of *Lincoln* for the time being; the Maior of the city of *Lincoln* for the time being; the Maior of *Boston*, Alderman of *Grantham* and *Soake*, and the Alderman of *Stamford*, for the time being, and all Bayliffs of Liberties, and Towns corporate within the said county; and all Colonells, Lievtenant-colonells, Sergeant Majors, and other Captains and Officers, and all other well-affected persons within the said county, city of *Lincoln*, and county of the same, and parts adjacent, shall and may associate themselves, and mutuall ayd and succour, and assist one another in the mutuall preservation and defence of themselves, and the peace of the said county of *Lincoln*, city of *Lincoln*, and county of the same, and all other Towns corporate within the said county, from all rapine, plundering, and spoylings of the said Papists, and ill-affected persons, as well under the command of the said *William* Earl of *Newcastle*, as any other of his and their adherents. And it is further Ordered, Ordained, and Declared, That the said Lord Lievtenants, Committees of Parliament,

Colonels,

Colonells, Lieutenant-colonells, Sergeant Majors, Captains, and other Officers, have power and authority to raise Forces of Horse and Foot, and to lead them into any place which shall be fitting and convenient: and to give battell, and to fight with all such as are, or shall be raised to leave War against the Parliament, and all other Forces raised without authority and consent of both Houses of Parliament, that make any insurrection and plunder, or destroy His Majesties good Subjects, and them to invade, resist, suppress, subdue, and pursue, kill, and slay, and put to execution of death, and by all means to destroy as enemies to the Kingdom, and to performe all things else needfull for the preservation of the safety and Peace of the said County, Citie of *Lincolne*, and County of the same, with the rest of the Towns Corporate, within the said County, and parts adjacent; Observing from time to time such other directions, and Commands, as they shall receive from both Houses of Parliament, or from the Earl of *Essex*, Lord Generall, or the Lord *Fairesfax*, Generall of the Forces in the Northerne Parts, with whom the said County of *Lincolne* is already Associated: And that all the said Persons and other Inhabitants for so doing, shall be saved and kept harmelesse by the Power and Authority of Parliament: And the said Lords and Commons taking into their serious Consideration the necessity of appointing a Commander in Chief over the Forces, which are or shall be raised in the said County, City, and County of the same, for the service aforesaid, in regard that by particular Commissions already granted to persons in the said County, there was no power given to lead Forces out of their own County; It is Ordered and Ordained, that the Lord Generall, the Earl of *Essex*, shall be desired to grant a Commission to such a Person as he shall think fit, to Command in Chief, as Generall of all the Forces raised, or to be raised in the said County and City of *Lincolne*, and County of the same, and parts adjacent, and have power to Lead, Command, and carry the same to such places within the said County, City of *Lincolne*, and parts adjacent, as he shall think fit, for the defence thereof; and likewise power to give the same Order and Instructions in his said Excellencies absence, for regulating the souldiers, which are or shall be under his Command, as his Excellency hath given to his Army, and to use Martiall Law to compell obedience thereunto, as occasion shall require; and also power and authority to make and appoint all Officers for leavying, conducting, and leading the said Forces, as he shall think fit.

Instructions

Instructions for Francis Lord Willoughby, Lord Lieutenant of the County of Lincoln, and the Committees of Parliament for the Subscriptions of Money, Plate, and Horse for that County, and other Officers, and Commanders in the said County of Lincoln, City of Lincoln, and parts adjacent.

THat the Lord Lievtenant of the said County of *Lincoln*, or the Committee of Parliament, of the said County and City of *Lincoln*, or any three, or more of them with all convenient speed do summon the severall Gentlemen, Frecholders, and other Inhabitants of the said County, and City, as well within Liberties and Corporations as without, that do or are able to bear, or finde Arms, to such places in the said County and City as they hold most fitting; And at such meetings to take a view what Arms and Force can be raised in the said County and City respectively, and examine the defects of Arms, and Ammunition, and to consult of some fitting course how to have the want of Arms, and other defects to be supplied; And at such meetings, or at any other fit time and times, with the assistance of the Committee, for the Propositions and Subscriptions in the County and City aforesaid, and parts adjacent, or any two of them, shall and may propound to all the Inhabitants of the said County and City that are able to bear, or finde Arms, or to contribute towards the same, what present, and imminent danger and necessity, the whole Kingdom is now reduced unto, by the wicked Advice, and attempts, and conspiracies of Papists, and other persons now about His Majesty, and to propound to them to joyne in Association and mutuall defence of one another, according to the form of an Association hereunto annexed; and to require them to set down in writing, and subscribe what Arms for Horse, and Foot, what Horse either for Dragoons, or others, they will have in readinesse upon every just occasion, for the defence of the said County and City.

Secondly, the better to prevent the plundering and spoiling of the said County, and City, and parts adjacent, and to have meanes for the furnishing of Arms, and Ammunition, making of Fortifications, and payment of the Garrisons, Officers, and Souldiers, and other publique necessary charges; That there be forthwith raised in the said County, and City, and in the Corporations, Constableries, and Parishes thereof, such summes of Money, as shall necessarily be disbursed and expended for the uses aforesaid; The same sums to be rated and assessed in like sort as was the four hundred thousand pounds, granted by Act this present Parliament, wherein the

the persons, who have not subscribed to the Parliaments late Propositions, shall be Assisted, and their Assessements levied in such sort, as by the Ordinance lately made for the City of London, and parts adjacent, such like persons are to be Assessed, and their Assessements levied; For such summes of money, so raised and levied, and expended, as aforesaid, the Lord Lieutenant and Committee shall be accomptable for their proceeding therein to both Houses of Parliament, and none else.

And for the better levying of the said summes of money, that the said Lord Lieutenant, and the said Committee, of the said County and City of Lincoln, or any three of them, shall or may Assesse and Tax, or cause to be Assessed or Taxed, the said summes upon the said County, and City, and the Corporations, Townes, Constableries, and Parishes within the same, in like manner, as is aforesaid; And they or any three or more of them, nominate and appoint Treasurers, Collectors, and Assessours, in the said County, City, Townes Corporate, and Hundreds of the same, for the Assessing, Receiving, and Collecting the said summes of money, and shall and may grant Warrants under their hands and Seales, in writing to any Constable or other Officer whatsoever, to raise and levie the said summes to be Assessed and Taxed as aforesaid, upon all such persons upon whom any such summes shall be so Assisted and set, that do refuse or neglect to pay the same, it shall and may be lawfull to and for the said Assessors, or any other persons to whom Warrants by the Lord Lieutenant or Committee shall be granted, to levie the said summe so Assessed, by way of Distresse and rate of the goods of the person so Assessed and refusing; And if any person so distreined shall make resistance, it shall and may be lawfull to and for the Lieutenant and Committee to send any of the trained Bands, or other Souldiers of the said County and City aforesaid, Townes Corporate, or parts adjacent, to compell the said parties to refusing to obedience of this Ordinance. And in case no distresse is or may be found, then the said Lieutenant, and the Committee aforesaid, or any three or more of them, shall or may commit such person and persons so refusing, to pray as aforesaid, to some common Gaole, there to remaine without Bayle or Mainprize, untill payment made of such summe and Loans as aforesaid.

Thirdly, that all Sheriffes, Justices of Peace, Majors, Bayliffes, Constables, and other His Majesties Officers, as well within Liberties as without, be from time to time ayding and assisting unto the said Lord Lieutenant and Committees in execution of the Power to them given by the Lords and Commons in Parliament, and of these Instructions.

Fourthly, that no Treasurer or Receiver of any Moneyes shall issue out any Money, but under the Hands of the Lord Lieutenant and Committee,

or any three or more of them : And that the said Lord Lieutenant and Committee doe not signe or grant any Warrants for the issuing or paying any Summe or Summes, but for the furnishing of Armes and Ammunition, making of Fortifications, payment of Officers and Souldiers, and other necessary publike charges, tending to the safety and preservation of the said County, city, Townes Corporate, and parts adjacent, and not other wise.

Fifthly, that the said Lord Lieutenant and Committee, or any three or more of them, shall and may from time to time raise such and so many of the Trayned Bands, and other persons inhabiting in the said County, and City and County of the same, and Townes Corporate, as they shall judge it necessary and fitting, to enter into the houses of all Papists, and other persons that are Voted to be Delinquents by both or either House of Parliament; Or that have put in execution the Commission of Array; Or that have been present with, or ayding or assisting to his Majesty in this unnaturall Warre against the Parliament; Or that being of ability, have not contributed upon the Propositions of raising of Horse, Money, or Plate for the defence of King and Parliament, or that have refused to send Horse and Armes to the Musters, when by the Deputy Lieutenants appointed by the power of Parliament they have been required so to doe; Or such Clergy-men, or others, that have publicly preached, or declared themselves to oppose, discharge, or revile the proceedings of both or either House of Parliament, and to seize upon the Armes, Ammunition, and Horses fit for service in the War, that belong to such person and persons; the same Horses, Armes, and Ammunition to be employed and disposed of by the direction of the said Lord Lieutenant, Committee of the said County and City, or any three or more of them, for the publike service and defence of the County and City of *Lincolne*, and County of the same, Townes Corporate, and parts adjacent.

Sixthly, that the said Lord Lieutenant, and Committee, or any three, or more of them, doe cause the severall Companies of the Trayned Bands, and Volunteers, to bee put into Regiments, and to nominate, appoint, and place Collonels, Serjeant-Majors, Captaines, Lieutenants, and other Officers, to every Regiment and Company, where any such are wanting; or when such as are and have been nominated, have refused to execute those places.

Seventhly, that the Dragoneers be put in Companies, and that one hundred and twelve be allotted unto a Company; and that each Company of Dragoneers have an experienced Souldier to be a Corporall, and to have the present pay of a Corporall.

Eightly, that the said Lord Lieutenant and Committee, or any three or more of them, shall and may give command and directions from time to time

time to secure and fortifie all Bridges, Cawseyes, and Passages, and in time of approach of an Enemy, or feare of any Invasiō by an Enemy, to pull down, or stop the Bridges, Cawseyes, Passages, and to cut the Banks; and to have power to fortifie and secure any Towne, Hundred, or Hamlet, where the said Towne, Hundred, or Hamlet are willing to doe the same, at their own proper charges; and also to have power at all times to seize and stop all Barges, Boats, or other Vessels passing by Water, for the safety of the said County and city of *Lincolne*, and County of the same, and parts adjacent.

Ninthly, it is further Ordered and Declared, that the said Committee for the said County of *Lincolne*, city of *Lincolne*, and County of the same, shall or may call unto their assistance such person and persons as they shall think fit, for the better and more orderly execution and performance of these Instructions.

Tenthly, the Lord Lieutenant, or Committee, or any three or more of them, shall and may imprison and commit to safe custody all and every such persons as being able, and have had due summons, doe notwithstanding refuse, or wilfully neglect to appeare at Muster, or to send some able Persons, to bee allowed of by the Captaines or chiefe Officers of the company in this behalfe.

And it is further Ordered and Ordained, that duplicates of Rolles bee made by the appointment of the said Lord Lieutenant of the County of *Lincolne*, or of the said Committee, or any three or more of them, containing the Name and Surnames of every person charged by Vertue of this Ordinance, and the place of their abode: together with the particular summes upon each of them set, and assessed; and that duplicates be made of all such summes of Money, or other things as shall bee received, disbursed, imployed, or extended in this service, upon a just account to bee made and allowed by the Commons House of Parliament; and that in so doing, the said *Francis Lord Willowby*, Lord Lieutenant of the County of *Lincolne* aforesaid, and the Committee aforesaid, and all others imployed by them, and observing their commands and directions: or that joyn with, and assist them in executing any of the premises; or that shall willingly submit to performe and pay such Rates and Monies, and performe such services as shall bee imposed on, and required of them by vertue of this Ordinance, shall be protected, defended, and saved harmless in their Estates, Land, Goods and Persons, by the Authority and Power of the Parliament.

*Likewise an Order of both Houses, for the removing the Prisoners out of
Lincolne Castle, and for the speedy fortifying of the same.*

Die Lunx, 9. Januar. 1642.

*IT is this day Ordered by the Lords and Commons in Parliament, That the
high Sheriffe of the County of Lincolne, for the time being, one Smith
Goaler and keeper of the Castle of Lincolne, shall bee forthwith required to re-
move his Prisoners out of the said Castle of Lincolne, to some safe and secure
place, and for the present (if a more convenient House cannot be had) the said
Smith is hereby authoris'd to remove his said Prisoners to the Bishop of Lin-
colns House, neare the said Castle, commonly called the Bishops Palace, and to
resigne and deliver up the said Castle into the hands of the Earle of Lincolne, or
such as he shall appoint for the safe keeping of the said Castle, and better security
of the City of Lincolne.*

John Browne Cler. Parliament.

*Ordered by the Lords and Commons assembled in Parliament: that this De-
claration, Instructions and Order shall be forthwith printed and published.*

John Browne Cler. Parliament.

To the Kings most Excellent Majesty,

*The Humble Petition of the Major, Aldermen, and Commons
of the city of L O N D O N*

S H E W E T H,

*T***H***at the Petitioners, Your Majesties most humble and Loyall Subjects, being
much pierced With the long and great divisions between Your Majesty, and
both Your Houses of Parliament, and With the sad and bloudy effects thereof,
both here, and in Ireland, are yet more deeply Wounded by the misapprehension
which Your Majesty seemeth to entertain of the Love and Loyalty of this Your
City, as if there were some Cause of feare, or suspicion of danger to Your Royall
Person, if Your Majesty should return hither; and that this is made the unhappy
Barre to that blessed Reconciliation With Your great and most faithfull Coun-
cell, for preventing that desolation and destruction Which is now most apparent-
ly imminent to Your Majesty and all Your Kingdomes.*

*For satisfaction therefore of Your Majesty, and clearing of the Petitioners
Innocencie, they most humbly declare, (as formerly they have done) That they
are no Way conscious of any Disloyalty, but abhorre all thoughts thereof; and*

that they are resolved to make good their late solemn Protestation and sacred vow made to Almighty God, and with the last drop of their dearest Blonds, to defend and maintain the true reformed Protestant Religion, and, according to the duty of their Allegiance, Your Majesties Royall Person, Honour, and Estate, (whatsoever is maliciously and falsely suggested to Your Majesty to the contrary) as well as the Power and Priviledges of Parliament, and the lawfull Rights and Liberties of the Subject; and doe hereby ingage themselves, their Estates, and all they have to their uttermost Power, to defend and preserve Your Majesty and both Houses of Parliament from all Tumults, Affronts and Violence, with as much Loyalty, Love and Duty, as ever Citizens expressed towards Your Majesty, or any of Your Royall Progenitors, in their greatest Glory.

The Petitioners therefore, upon their bended Knees doe most humbly beseech Your Majesty to returne to Your Parliament (accompanied with Your Royall, not Martiall attendance;) to the end, that Religion, Laws, and Liberties may be settled and secured, and whatsoever is amisse in Church and Common-wealth, reformed by their Advice, according to the fundamentall Constitutions of this Kingdome: and that such a Peace may thereby be obtained, as shall bee for the glory of God, the Honour and Happinesse of Your Majesty, and Posterity, and welfare of all Your Loyall Subjects, who (the Petitioners are fully assured, whatsoever is given out to the contrary, doe unanimously desire the Peace herein expressed.

And the Petitioners shall ever pray, &c.

MICHELL.

His Majesty hath graciosly considered this Petition, and returns this Answer.

THAT His Majesty doth not entertain any mis-apprehension of the love and Loyalty of his City of London. As he hath alwayes expressed a singular regard and esteem of the affections of that City, and is still desirous to make it his chief place of residence, and to continue and renew many marks of his favour to it, so he believes much the better and greater part of that his City is full of Love, Duty, and Loyalty to His Majesty; and that the Tumults, which hitherto forced His Majesty for his safety to leave that place, though they were contrived and encouraged by some principall members thereof, (who are since well known, though they are above the reach of Justice) consisted more of desperate Persons of the Suburbs, and the neighbouring Towns, (who were misled too by the cunning and malice of their seducers,) then of the Inhabitants of that City. He looks on his good Subjects there, as persons groaning under the same burthen which doth oppresse his Majesty, and awed by

the same persons who begat those Tumults, and the same Army which gave Battell to his Majesty. And therefore as no good Subject can more desire from His soule a composure of the generall distractions, so no good citizen can more desire the establishment of the particular Peace and Prosperity of that place, by His Majesties access thither, then His Majesty himselfe doth.

But His Majesty desires his good Subjects of *London* seriously to consider, what confidence His Majesty can have of security there, whilst the Laws of the Land are so notoriously despised and trampled under foot, and the wholesome Government of that city (heretofore so famous over all the World) is now submitted to the Arbitrary Power of a few desperate persons of no Reputation, but for malice and disloyalty to him; Whilst arms are taken up not only without, but against his consent and expresse command, and collections publickly made, and contributions avowed for the maintenance of the Army which hath given him battell, and therein used all possible means Treason and Malice could suggest to them, to have taken His life from Him, and to have destroyed His Royall Issue; Whilst such of His Majesties Subjects, who out of Duty and affection to His Majesty, and Compassion of their bleeding Country, have labour'd for Peace, are reviled, injured and murdered, even by the Magistrates of that city, or by their directions; Lastly, what hope His Majesty can have of safety there whilst Alderman *Pennington* their pretended Lord Major, (the principall Authour of those Calamities, which so nearly threaten the Ruine of that famous city, *Ven, Foulke*, and *Manwaring*, (all Persons notoriously guilty of Schisme, and high Treason,) commit such outrages in oppressing, robbing and imprisoning, according to their Discretion, all such His Majesties loving Subjects, whom they are pleased to suspect but for wishing well to His Majesty. And His Majesty would know whether the Petitioners believe, that the reviling and suppressing the Book of Common Prayer, (established in this Church ever since the Reformation,) the discountenancing and imprisoning Godly, Learned, and painfull Preachers, and the cherishing and countenancing of Brownists, Anabaptists, and all manner of Sectaries, be the way to defend, and maintain the True, Reformed, Protestant Religion? That to comply with and assist persons: who have actually attempted to kill His Majesty, and to allow and favour Libels, Pasquils, and seditious Sermons against His Majesty, bee to defend His Royall Person and Honour, according to the duty of their Allegiance? Whether to imprison mens Persons, and to Plunder their Houses, because they will not Rebel against His Majesty, nor assist those that doe? Whether to destroy their Property by taking away the Twentieth part of their Estates from them, and by the same Arbitrary Power to referre to foure standers by of their own faction, to judge what that Twentieth part is, be to defend the lawfull Rights and Liberties of

the Subject? And if they think these actions to be instances of either; whether they do not know the persons before named to be guilty of them all? Or whether they think it possible, that Almighty God can bless that City, and preserve it from destruction, whilst persons of such known Guilt and Wickedness, are defended and justified amongst them, against the power of that Law, by which they can only subsist.

His Majesty is so farre from suffering Himselfe to be incensed against the whole City, by the actions of these ill men, though they have hitherto been so prevalent as to make the Affections of the rest of little use to Him: and is so willing to be with them, and to protect them, that the Trade, Wealth, and Glory thereof (so decayed and Ecclipsed by these publick Distractions) may again be the Envy of all forraign Nations, That he doth once more graciously offer His free and generall Pardon to all the Inhabitants of that His City of London, the Suburbs, and City of Westminster, (except the Persons formerly excepted by His Majesty, (if they shall yet return to their Duty, Loyalty and Obedience. And if His good Subjects of that His City of London, shall first solemnly declare, That they will defend the known Laws of the Land, and will submit to, and be governed by no other Rule; if they shall first manifest, by defending themselves, and maintaining their own Rights, Liberties and Interests, and suppressing any force and violence unlawfully raised against those and His Majesty, their Power to defend and preserve Him from all Tumults, Affronts and Violence; Lastly, if they shall apprehend and commit to safe Custody the Persons of those foure men, who enrich themselves by the Spoile and oppression of His loving Subjects, and the ruine of the city, that His Majesty may proceed against them by the course of Law, as guilty of high Treason, His Majesty will speedily return to them with His Royall, and without His Martiall attendance, and will use His utmost endeavour, that they may hereafter enjoy all the Blessings of Peace and Plenty, and will no longer expect obedience from them, then he shall, with all the faculties of His Soule, labour in the preserving and advancing the true, reformed, Protestant Religion, the Lawes of the Land, the Liberty and Propriety of the Subjects, and the just Priviledges of Parliament.

If notwithstanding all this, the Art and interest of these men can prevail so farre, that they involve more men in their guilt, and draw that His city to sacrifice it's present Happinesse and future Hopes to their Pride, Fury, and Malice, His Majesty shall onely give them this Warning, That whosoever shall henceforward, take up arms without his consent, contribute any Mony or Plate, upon what pretence of Authority soever, for maintenance of the Army under the command of the Earle of Essex, or any other Army in Rebellion against Him, or shall pay Tunnage and Poundage, till the same shall be settled by Act of Parliament; Every such person must expect the severest punishment

ment the Law can inflict; and in the mean time His Majesty shall seize upon any part of his Estate within His Power, for the relief and support of him and His Army rais'd and maintain'd for the Defence of His Person, the Law, and this His Kingdom; And since he denyes to His Majesty the duty and benefit of his subjection, by giving assistance to Rebels, which by the known Lawes of the Land is high Treason. His Majesty shall likewise deny him the benefit of his Protection, and shall not only signifie to all His Forraigne Ministers, that such Person shall receive no advantage by being His Subject, but shall by all other wayes and means proceed against him as a publick Enemy to His Majesty, and this Kingdom.

But His Majesty hopes and doubts not, but his good Subjects of London will call to mind the Acts of their predecessors, the Duty, Affection, Loyalty and merit towards their Princes, the Renown they have had with all posterity for, and the Blessing of Heaven which alwaies accompanied those virtues and will consider the perpetuall scorn and infamy, which avoydably will follow them and their children, if infinitely the meener part in quality, and much the lesser part in number, shall bee able to alter the Government so admirably established, destroy the Trade so excellently settled, and to waste the wealth so industriously gotten of that flourishing City; And then they will easily gather up the Courage and Resolution to joyn with His Majesty in Defence of the Religion, Law and Liberty, which hitherto hath and only can make themselves, His Majesty, and His Kingdom happy.

For concurring with the Advice of His Two Houses of Parliament, which with Reference to the Common-wealth may be as well at this distance, as by being at *White-Hall*, His Majesty doubts not but his good Subjects of London well known how farre (beyond the example of His Predecessors) His Majesty hath concurred with their advice, in passing of such Lawes, by which He willingly parted with many of His known Rights for the benefit of His Subjects, which the fundamentall Constitutions of this Kingdom did not oblige him to consent unto, and hath used all possible meanes to beget a right understanding between them; And will therefore apply themselves to those, who, by making Just, Peaceable and Honourable Propositions to His Majesty can only beget that concurrence.

A Speech delivered by the Earle of MANCHESTER.

MY Lord Maior and Gentlemen you of the City of London, this Assembly can never be looked upon by any Members of both Houses of Parliament; but there must be some offering of gratitude made to you, both of thanks and acknowledgement for your former large-hearted expressions, both of affection and care for the preservation both of the Parliament and Kingdom: The

occasion why my Lords, and these Gentlemen of the house of Commons are come hither is this, They have read an Answer to an humble Petition of the Lord Major and Common Counsell and Citizens of *London* to his Majesty; in which Answer, they find many wounding aspersions cast upon persons of very eminent authority in your city, and upon others of very great fidelity and trust among you; this Answer they do find, as it is printed, to agree with that which the Gentlemen from his Majesty hath here read, And they owning themselves equally interessed (in all things that concerne you) which you have commanded this Gentleman to make some observations by way of vindication, both of the proceedings of both Houses of Parliament, and of the proceedings of the City, with this assurance, that they will never desert you, but will stand by you with their lives and fortunes for the preservation of the City in generall, and those persons in particular, who have been faithfull, and deserved well, both of the Parliament and Kingdom, and they will pursue all means both with their lives and fortunes, that may bee for the preservation of this City, and for the procuring of safety, happinesse, and peace to the whole Kingdom.

The Speech of this Noble Lord being entertained with loud expressions of joy and thankfulness by the Commons; and after some time of silence being made, Mr. Pym that Worthy Member of the House of Commons, and Patriot of his Countrey, gave the sense of both Houses upon the severall passages of His Majesties Answer, as followeth.

A Speech delivered by JOHN PYM, Esquire.

MY Lord Major, and you worthy Citizens of this noble and famous City of *London*, I am commanded by the Lords and Commons, to let you know, that in this Answer, which hath been published to you, they do observe many things of great aspersion upon the proceedings of Parliament very scandalous and injurious to many particular members of this City, whereupon they think that it becomes them, both in tendernesse of their owne Honour, and respect to you, to take away all these aspersions, and to let you know the truth of their proceedings, which have been full of Honour and Justice, as they stand in relation to their owne duty, and full of humility and obedience towards His Majesty, and of care for the common good, and so shall ever be: And they have commanded me to let you know the true Answer to most of those things that are imputed either to the Parliament, or to the City, by observing some particulars of this book which hath been read to you, and to let you

know the proceedings in their owne native condition, cleer from those misrepresentations which makes them appeare in a quality much different from the truth: which before I enter into, I am to declare as the sense of both Houses, That your Petition was so full of Loyalty, Humility, and Obedience, that you might well have expected an Answer of another kinde.

The first Observation I am to make you, is this: that it is said here, *That His Majesty was enforced by tumults to leave the Parliament, and go from White-hall, and to withdraw himselfe into those courses which now he hath taken.*

I answer thereunto, I am commanded to tell you, That there was no occasion given by any Tumults rising out of this City or the Suburbs, which might justly cause His Majesties departure, and you may very well remember, that after his violent coming to the Commons House of Parliament in that unusuall and unheard of manner (which was the beginning of these unhappy differences) that the very next day His Majesty came into the City without any Guard, that He was present at the Common-councell, din'd at the Sheriffes, and returned back againe, with manifold evidences of fidelity on the part of the City, and without any such expressions in were unbecoming the Majestie of a King, or the duty of subjects: that he resided divers dayes at White-hall, and afterward at Hampton-Court, Windsor, and places adjoining, with small forces about him, and yet never any attempt made which might give him any apprehension of feare: by all which it is manifest, that this is an unjust aspersion cast upon this City, that any tumultuous carriage of yours, was your occasion of His Majesties leaving the Parliament, and withdrawing himselfe to remoter parts.

It is affirmed, *That the Government of your City hath beene managed by a few desperate persons, and that they doe exercise an arbitrary power.*] In answer to which the two Houses of Parliament gives you this testimony, that you have in most of the great occasions concerning the Government of the City, followed their direction, and that direction which they have given, you have executed, and they must and will maintaine to be such as stands with their honour in giving it, and your trust and fidelity in the performance of it.

It is objected in the third place, *That Contributions have beene publicly made, for the maintenance of that Army which did ioyne battell with the King, and did by all the meanes that Treason and Malice could suggest, endeavour to take away his Life, and destroy His Issue.* To this I am commanded to say, That the designe of bringing up the English Armies, the gathering together of the Cavaliers about White-hall, the violent coming to the House of Commons, the Kings going into the North, and raising Armes there, are cleer evidences that violence was first intended, & diverse practises were made against the

the Parliament, before they tooke any course, or made any preparation to take up Armes for their defence; for the danger of His Majesties person they were sorry for it, and did by diverse humble Petitions labour to prevent it; And as touching the royall Issue, they have sufficiently declared to the world, their good affections towards them, by the care they have taken both for the safety and maintenance of those who are left here.

It is further expressed in this Answer; *That the King demands the Lord Mayor, Master Alderman Fowke, Collonell Ven, and Colonell Manwaring, to be delivered up as guilty of Schisme and High Treason.*] Concerning which, I am commanded to tell you, as the sence of both Houses of Parliament, That this demand is against the Priviledge of Parliament (two of them being Members of the Commons House) most dishonourable to the City, That the Lord Major of London should be subjected to violence of every base fellow, be assaulted, seized on, without due processe or warrant, which the Law doth afford every private man, and that you should be commanded to deliver up your chiefe Magistrates, and such eminent Members of the City to the Kings pleasure, onely because they have done their duty in adhering to the *Parliament*; for the defence of the Kingdome, and that it is against the rules of justice, that any men should be imprisoned upon such a generall charge, when no particulars are proved against them; and this you are to take notice of, as the answer to those scandalls, and to that disgrace upon my Lord Major, and the other Members of the city.

And am further to tell you, that there is little cause for His Majesty to make this demand, considering that He himself doth by force keep away many accused in Parliament, as my Lord Digby, and many more impeached of high Treason, besides divers other great Delinquents, that stand charged there for heinous crimes, all which by force are kept from the due proceedings, and legall tryall in *Parliament*.

It is alledged in his Answer, That *My Lord Major, and those other persons named, are countenancers of Brownists, and Anabaptists, and all manner of Sectaries.*] To this I am commanded to say, that hereof there is no proof; It doth not appeare that they give any such countenance to Sectaries of any kind whatsoever; and if it did, His Majesty hath little reason to object it, while notwithstanding the profession he hath often made, that he will maintain the Protestant reformed Religion, he doth in the mean time raise an Army of Papists, who by the principles of their Religion are bound, (if power be put into their hands) to destroy and utterly to root out the Protestants together with the truth which they profess.

It is affirmed, *That mens persons have been imprisoned, and their houses plundered, because they will not rebell against His Majesty.*] To this I am com-

manded to declare, that no mens house, have been plundered by any direction of the Parliament, but that they have been very carefull to restraine all such violent courses, so farre as they were able; and that they have never committed any man, but such men as by due information they conceived to be seditious persons, and like to trouble the peace of the State.

It is objected further, *That the property of the Subject is destroyed by taking away the twentieth part by an Arbitrary power.*] To this they say, that that Ordinance it doth not require a twentieth part, but doth limit the Assessors, that they shall not go beyond a twentieth part, and that this is done by a power derived from both Houses of Parliament; the Lords who have an hereditary interest in making Laws in this Kingdom, and the Commons who are elected and chosen to represent the whole body of the Commonalty, and trusted for the good of the people, when ever they see cause to charge the Kingdom: And they say further, that the same Law that did enable the two Houses of Parliament to raise forces to maintain and defend the safety of Religion, and of the Kingdome, doth likewise enable them to require contributions, whereby these forces may be maintained, or else it were a vain power to raise forces, if they had not a power likewise to maintaine them in that service for which they were raised,

And to this point I am commanded to adde this further answer, that there was little reason for this to be objected on His Majesties behalf, when it is well known, that from the subjects (which are within the power of his Army) His Majesty doth take the full yearly value of their Lands, and in some cases more: that not only particular houses, but whole Townes have been plundered by command and designe; and that by Proclamations men are declared to forfeit all their estates, because they will not obey Arbitrary Commands, and this is commonly practised by His Majesty, and on his part, and therefore there was little reason to charge the Parliament with so necessary and moderate a contribution as the twentieth part.

It is declared, *That the King expects to be kept from Tumulis and Affronts.*] Upon which, I am commanded to observe, that His Majesties expressions in His Answer tend to the making of a division in this City, and to the raising of a party, which may make some disturbance in that orderly government which is now established, both which will certainly prove equally destructive to him and both Houses of Parliament, and more prejudiciall to his quiet abode here, then any thing that hath ever bin acted by the Houses of Parliament, or the present governors of the city.

They observe further that in this Answer, *His Majesty doth professe that He will seize upon the estates of those that shall contribute any thing towards the maintenance of the Parliaments Army, and will put them out of His protection,*
and

and by his Ministers in forraigne States, will take such course, that they may be proceeded against as enemies; that is destroyed and spoyled.] To which the Lords and Commons doe declare, That this is an excesse of rigour and injustice beyond all example, that particular men should lose their private estates here without law or judicall proceeding: And that our Prince who owes protection to the Kingdom, as well as to particular persons, should suffer the wealth thereof to be robbed and spoyled by forraigne States; upon due consideration whereof, they hope His Majesty will be induced by better counsell to forbear the execution, then that by which he hath been perswaded to publish such a Resolution.

Besides these Observations out of the Answer, I am to observe one out of a Narrative that was received from the Common-counsell, that the King did declare that he would send some Messengers here to observe your carriage in the City, and what was done amongst you, the Parliament have just cause to doubt, that these will be Messengers of sedition and trouble, and therefore desires you to observe them and find them out, and that they may know who they are.

I am for a conclusion to commend to your considerations, that you see by the proceedings to which the King is drawn by the ill counsell now about him, that Religion, the whole Kingdom, this glorious City, and the Parliament, are all in great danger, and that this danger cannot be kept off in all likelihood, but by the Army that is now on foot, and that the Lords and Commons are so farre from being frightened by any thing that is in this Answer, that they have for themselves & the Members of both Houses declared a further contribution towards the maintenance of this Army, and cannot but hope and desire that you have shewed so much good affection in the former necessities of the State will be sensible of your own, and of the condition of the whole Kingdom, and adde to that which you have already done) some further contribution, whereby this Army may bee maintained for all your safeties.

Ordered by the Lords and Commons in Parliament, that these Speeches be forthwith printed and published.

H. Elfyng, Cler. Parliament.

At the end of every period of this Speech, the applause was so great, that he was faine to rest still silence was again made, and at last (the company ready to be dissolved) after some pause and consultation with the Committee of Lords and Commons then present, and by their direction (silence being made) he closed all with the words following:

Worthy citizens, you have understood the sense of both Houses of Parliament, concerning my Lord Major here, and those worthy Members of your city, that are demanded, you have heard the Parliament declare, that they will protect them in that which they have done by direction of both Houses, and they expect that you should expresse it your selves likewise, that if any violence be offered to them, you will secure and defend them with your uttermost force: and you shall alwayes find that this protection of the Parliament shall not only extend to these, but to all others that have done any thing by their command.

Which words were no sooner uttered, but the Citizens with one joynt harmony of minds and voyces, gave such an acclamation as would have drowned all the former, if they had bin then breathing, which after a long continuance resolved it self into this more articulate and distinct voice, We will live and die with them, Wee will live and die with them, and the like.

So that in the managing of this dayes work, God was so pleased to manifest himself, that the Well-affected went away not strengthened onely, but rejoicing: but the malignants (as they have been called) some convinced, others silenced, many ashamed: it fully appearing how little power they had to answer their desires of doing mischief: whilst instead of dividing the city, they were exceedingly united, instead of a dissipation, thousands were unexpectedly brought, (as it were) into an unthought of Association, to live and die in the defence of these zealous and honourable Assertors of their peace and liberties: All which we may summe up in that triumph of the man of God. In the thing wherein they dealt proudly, God was above them.

A Declaration of the Lords and Commons Assembled in Parliament: that no Ships, Barques, or other Vessels shall from henceforward make any Voyage to New-Castle, for the fetching of Coales, or any other Commodity, untill that Town shall be reduced into such hands, as shall declare themselves for King and Parliament.

THE Lords and Commons assembled in Parliament, taking into their consideration the number of Ships, and quantity of Money, that is every year employed from London, and other Parts and places of this Kingdom, for the fetching of Coales and Salt from New-Castle, Sunderland, and Blyth; And finding that since the beginning of the present Troubles, that Towne of New-Castle, being possessed by Forces raised against the King and Parliament, hath been, and is the principall In-let of Forreine Ayde, Forces, and Ammunition, for the strengthening of that Force that intends Destruction to the Parliament, & thereby to the religion, laws, and liberties of this Kingdom, And taking into

Consideration,

Consideration, that sufficient Coales be supplied from other Parts, for the use of this Kingdom, doe Declare, That they are inforced for the safety of the Kingdom, and for the better hindering of the supporting of the said Forces, and of the reducing of the Town of *New-castle*, and the Parts adjacent, to yield obedience and submission, to the commands of the two Houses of Parliament, Are constrained for the present, to hinder the repairing of Ships to *New-Castle*, *Sunderland*, and *Blyth*, lest those Ships and Money which are intended to procure Fewell, for the supportation of the Kingdom, be improved to give Vigour and maintenance to the Warre, raised to the Destruction thereof, For prevention whereof, We the Lords and Commons doe Ordain, That no Ship, Ships, or Barques, shall from henceforwards make any Voyage for the fetching of Coales, or Salt from *New-Castle*, *Sunderland*, or *Blyth*, or carrying of Corne, or other Provision of Victuall, Untill that Town of *New-Castle* shall be freed of, and from the Forces there now raised, or maintained against the Parliament, and the Town be reduced into such hands, and condition, as shall declare themselves for King and Parliament; And the Masters, Owners, and Saylors of Ships, and Barques, are hereby required, not to presume to goe that Voyage contrary to this Ordinance; And it is further Ordained, and Ordered, that if any Ship, Vessell, or Barque, shall at any time after the first day of *February* next comming Import, or bring into any Port or Place of this Kingdom, any Coales or Salt laden from *New-Castle*, *Sunderland*, and *Blyth*, or any of them, untill further Order be taken by both Houses of Parliament, that every such Ship, Vessell, and Barque, and the Master and Saylors in the same, shall be seized upon, and stayed in such Port and Place where they come in, Untill the two Houses of Parliament being there-of Informed, shall take further Order and Direction therein.

Die Sabbathi, 9. Ianuar. 1642.

Ordered by the Lords and Commons assembled in Parliament, that this Declaration, Instructions and Order shall be forthwith printed and published.

John Browne Cler. Parliament.

*Two speciall Orders made by the House of Commons
in Parliament Assembled.*

The one, Prohibiting, that no Carriers, or Waggoners whatsoever, shall be permitted hereafter to goe to *Oxford*, or elsewhere, without speciall License from the Parliament.

The

The other, that if any Agent, or Servant to any person that bear Arms against the Parliament, shall presume to come to *Westminster*, or reside about *London*, shall be forthwith apprehended as a Spy, and proceeded against accordingly.

Die Lunæ 16. Januarii, 1642.

*I*T is this day Ordered by the Commons House of Parliament, That no Carriers, Waggoners, carts, or waggons, or horses laden with any commodities whatsoever, shall bee permitted hereafter to goe from hence or elsewhere to Oxford, or any part of the Kings Army, with any manner of Provisions, without the speciall License and Authority of this House first had and obtained; And if they doe presume notwithstanding to goe or carry any thing, that then their persons and goods shall be seized upon, and kept in safe custody, till this House take further Order. And Colonell Moore is to take care, that striēt command be given to all the Courts of Guard to make stay of them accordingly; And to bring the persons staid, before him, to the intent they may bee brought to this House: And that diligent search be made for any Moneys that may bee carried or conveyed by any person to Oxford.

Die Lunæ 16. Januarii, 1642.

*I*T is this day Ordered by the Commons now assembled in Parliament, That if the Agent or Servant to any person that bear Arms against the Parliament, shall presume hereafter to come to Westminster, or reside here about London, That he shall be forthwith apprehended as a Spy, and be proceeded against accordingly; and all persons are required to doe their endeavour for the discovery of such persons that shall hereafter come to the Parliament House or Westminster, or any parts about London, that they may be apprehended accordingly.

Ordered that these two Orders be forthwith Printed and published:

H. Elsynge, Cler. Parl. D. Com.

A second Declaration of the Lords and Commons assembled in Parliament concerning the Commission of Array, occasioned by a Book lately published, intituled His Majesties Answer to the Declaration of both Houses of Parliament, concerning the said Commission of Array.

*I*T cannot be denied but the Parliament is the highest Court of Judicature in the Kingdome, to it all other Courts are subordinate; This Court hath power to question judgements given in the highest Courts; Judges of other Courts have heretofore taken the advise of Parliament in cases of difficulty as they ought to doe; from judgements there had, by the fundamentall Laws and constitutions of this Kingdom there can be no appeal. Therefore the Lords and Commons cannot but be very sensible of this extrajudiciall arraignment of

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a solemn Declaration, and resolution by them heretofore made in Parliament, and conceive it a high breach of their privilege; That when they the Lords and Commons, the great Councell of the King and Kingdome have upon mature deliberation resolved the said Commission illegall as they have done, their resolution should in such a way be arraigned and endeavoured to be reversed and made voyd by any person whatsoever, although it be published in His Majesties Name, and by His authority.

This is their case; her's an Answer framed by some that will not owne it themselves, but it's published in His Majesties Name; This puts the Lords and Commons upon a great difficulty; whether or no they shall make any further or other Declaration then that formerly made, lest by so doing they should seeme to admit of a superiour power in any in an extrajudicall way to question the resolution of Parliament, and so suffer a breach of their unquestionable Rights and Priviledges: But considering the destructive grounds layd in the said Answer which (if true) would bring all the Subjects of England into unavoydable bondage and slavery, and that if they should suffer such a thing to passe without giving some satisfaction to the world concerning it, they might seeme not to be so carefull of their own, and the Kingdomes Liberties, as the trust reposed in them requires at their hands.

Therefore the said Lords and Commons in Parliament by Protestation, saving to themselves all their Rights and Priviledges, and that whatsoever now or heretofore hath bene done this way in this present Parliament may not be brought to example, or consequence for hereafter to the prejudice of the Priviledge of Parliament; Doe declare and will make manifest to all the world, that the grounds and positions layd downe in the sayd Answer for the maintenance of the said Commission are most dangerous, and illegall, tending to the utter destruction of Property and Liberty, and are such, as (if they should hold good in Law) will not onely justifie this Commission of *Array*, but all other charges whatsoever which His Majesty hath heretofore imposed, or shall hereafter impose upon his people for defence of the Kingdome, not onely in times of danger, but whensoever His Majesty hath heretofore pretended, or shall hereafter pretend or imagine danger.

Before wee come to the particulars in the Answer, it will be fit to set downe the effect of the Commission now in question. The first Commission of *Array* that came to our view, and which is the president for all the rest, and that that's maintained in the Answer was that which was granted to the *Earles of Huntington and Devonshire*, and others for the County of *Leicester*, which wee have set downe at large in our former Declaration. In the preamble of this Commission His Majesty declares his desire to resist the malice of his Enemies if they should presume to invade the Kingdome; &c further declares his pleasure to dispose & take order for the safeguard of himself.

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His Kingdome, and people as he is bound to doe; And to effect this he nominates divers Commissioners, and gives them, or any three of them power.

1. To array and try all men at Armes and armed men and Archers dwelling within the County, as well within liberties as without.

2. To compell all that have able bodies and estates of their own, to provide Armes for themselves according to their estates and means, and the Commissioners are to assesse and apportion their Armes according to their discretions.

3. To distrein all such as have able Estates in Lands or goods (and are not able to serve themselves) to find Armes for other men at Armes, and armed men, and also Bowes and Arrowes; But they must charge these according to the quantity of their Lands and Goods, and so that they may reasonably beare it saving their degree, that is, so as they may live according to their former condition, as the Answer expounds it.

4. To put and hold the said men at Armes, and armed men into Companies of thousands, hundreds, and twenties, as it shall be convenient and needfull.

5. To conduct the said men at Armes and armed men, and Archers in time of imminent danger, as well to the Sea-coasts, as to any other place, where, and as often as need shall require to expell, vanquish, and destroy the Kings said enemies. For this, one of the said Earles or Mr Hastings are of the Quorum.

6. To muster the said men at Armes and armed men, as often as need shall require.

7. To proclaime and ordain, and diligently to examine that all men at Armes and armed men, and Archers at musters doe bring their own Armes, and not other mens, upon paine of forfeiture of the Armes: Those here are excepted that are armed at other mens charges.

8. To arrest, take, and commit to prison all those that disobey their commands, there to abide till by Law they be delivered.

9. Then there's Command given to the Commissioners upon their faith and allegiance, that immediatly upon the receipt of the Commission they cause to be arrayed and made ready, and to be called before them at such times and places as they shall think fit, and as shall be least hurtfull to the people, all such as ought to be arrayed and mustered.

10. They have power to cause Beacons to be set up at usuall places for the discovery of the coming of the said Enemies.

11. Command is given to all Earles, Barons, Knights, Majors, Bayliffs, and other His Majesties Subjettis to attend counsell, and aide the said Commissioners, or any three of them.

12. The Sheriffe of the County is commanded to cause to appeare before himselfe and the Commissioners, or any three of them all such in the said County, by whom the Array may bee the better made, and compleated at such dayes, and places.

places as the said Sheriffe, and the Commissioners or any three of them shall appoint, and to imprison the rebellious. This is the substance of the Commission.

It's apparent to all that see it, that this Commission reacheth to the liberty of the persons, and to the propriety of the Estates of all His Majesties Subjects that have Estates: It subjects their persons and Estates to the unlimited discretion of any three of the Commissioners; They may compell any His Majesties Subjects that have Estates to provide what Armes they shall charge them with, and having provided them, to serve with them themselves if they be able; they may cause them to muster, and put them into Companies of hundreds and thousands, and they may lead and conduct them from their own habitations to the Sea coasts, and from one County to another as oft as they shall conceive danger, and thinke it needfull (for the Commissioners are Judges of both) such as obey them not, they may commit to prison, there to remain, till by law they be delivered; If any man (other then such as are armed at other mens charges) should serve with another mans Armes, the Armes are forfeited. If a man be not able to serve himselfe, they may compell him to find what Arms they please for other men to serve with, So it be *Salvo statu*, which is, so hee may live according to his former condition (as the Answer expounds it) so that if a man worth 20000. pounds live but after the rate of 40. or 50. pounds per annum, they may charge him to find Armes to the value of 18000. pounds. And yet that will be *Salvo statu* according to their exposition, for hee may yet live according to his former condition, This Commission extends to all men of Estates, as well Lords as Commons.

The maine drift of the Answer is to maintaine, That the King by the Common Law may grant such a Commission as this is, upon this ground because it's for the defence of the Kingdome, And that the power which he hath to grant it by the Common Law, is not taken away by the Petition of right, or any former Statute, But the King notwithstanding any of them may charge his Subjects for defence of the Kingdome, so as the charge imposed come not to himselfe, nor to his particular advantage.

These grounds thus layd extend not to the Commission of Array alone, but to all other charges that His Majesty shall impose upon his Subjects, upon pretence of defence of the Kingdome. For ther's the same reason of Law for any other charge that's pretended for defence, as for this; If His Majesty by the Common Law may charge his Subjects to finde Armes, and other things in the Commission enjoyned, because they are for defence of the Kingdom, by the same reason of Law he may command his people to build Castles, Forts, and Bulwarks, and after to maintaine them with Garrisons, Armes and Victuals at their own charges, and by the same reason he may compell his Subjects to finde Ships and furnish them with Men, Ammunition and Victuals, and

to find Souldiers, pay coat and conduct mony, provide victualls for Souldiers and all other things necessary for an Army, these being as necessary for defence as any thing that can be done in execution of this Commission.

And for that exposition of the petition of right, and other statutes therein recited (if it should hold) doth it not overthrow as well the petition it selfe, as all other Lawes that have been made for the Subjects benefit against taxes, and other charges, either in this, or any other Parliament?

These positions thus laid downe and maintained, doe shake the fundamentall Lawes of the Kingdome (the ancient birth-right of every Subject) both for the property of his goods, and liberty of his person; Nay, they strike at the root of Parliaments: What need His Majesty call Parliaments to provide for the defence of the Realme, when Himselfe may compell his Subjects to defend it without Parliaments? If these grounds should hold, what need the Subjects grant Subsidies in Parliament for defence of the Kingdome in times of reall danger, if the King for defence at any time when he shall onely conceive or pretend danger, may impose charges upon his Subjects without their consent in Parliament?

If the King may thus charge his Subjects persons and Estates in times of danger for defence of the Kingdome, who shall judge of the danger? will not His Majesty be the sole Judge? If so, what remedy have his Subjects, if he mis-judge? How shall the danger be tryed? If the King may declare the danger, and thereupon impose charges upon his Subjects for defence against that danger, what have they in any thing that they can call their owne? Are they not of free borne Subjects become slaves? And doe they not hold their liberties and estates at His Majesties will and pleasure?

Before we come to the particular answers of the things objected, we cannot but observe one thing out of this Commission; It's issued (as appeares by the Commission it selfe) for the defence of the King and Kingdome against an invasion, So that the authority thereby given to the Commissioners is onely to be executed *for the expelling, vanquishing and destroying the Kings Enemies that shall presume to invade the Kingdome*: There are no words in the Commission to inable the Commissioners to arme, traine, and lead men, but onely against such as shall presume to invade the Kingdome: But whether this Commission be now issued and executed to prevent invasions, or to make void and null the Orders and Ordinances of the Lords and Commons in Parliament, and to protect those from their legall tryalls, whom the Lords and Commons have voted Delinquents, and have accused of treason, or of other high crimes and misdemeanours, wee leave it to all men to judge: It's too apparent to be so, by severall Declarations lately published, and by the instructions for the execution of the said Commission of *Array*, which being

being so, how farre this differs from the intendment and words of the Commission of *5. H. 4.* So much insisted upon, let all the World judge.

But 'tis affirmed in the *Answer* (to make men in love with the Commission) that *ther's neither danger, inconvenience, or illegality in it.*

Is there not *danger* and *inconvenience* to have our persons and estates subject to the Arbitrary discretion and pleasure of three Commissioners? They charge a Subject with Armes at their pleasure, they compell him to goe out of his County as they think fit, they imprison him for refusing to obey their commands, they without any proceffe of Law, they seize the Armes he serves with as forfeit, because they are not his owne; Is there not *Inconvenience* in this? is it not an *Inconvenience* for a man to bee compelled to leave his Family, estate and County, and all that's deare to him, at the pleasure of three Commissioners? But 'tis said, they cannot doe this but in time of danger, and When there is a necessity of defence: It's true, But who is judge of the necessity or danger but the Commissioners themselves?

Suppose the Commissioners think ther's a necessity for a man; arming himselfe and going out of his County when ther's none, suppose further, That they charge a man with Armes beyond his estate, they think fit for one to goe that's not able, and thereupon compell him to goe, what remedy hath the Subject against the Commissioners in any of these cases? It's said, *They may bee indicted*; admit that to bee so, what benefit is that to the party wronged? if the Indictment bee found, there is onely a Fine to the King, no dammage to the party grieved.

But 'tis said, That the Armes that men are charged With are their owne goods, and that the property remains in him that finds them, so hee loseth no property. To which we say, so were the Ships their owne that were to be provided upon the Ship-writs, yet compelling men to provide Ships, although for defence of the Kingdome; was resolved by the Lords and Commons *nullo contra dicente*, to bee against the Law of Property, as well as that of finding victuals and wages, doth it not take from the Subject the property of his goods, when hee must dispose them at anothers will and pleasure? he intends them to provide himselfe necessaries, to pay his debts, or provide for his children, &c. And the Commissioners enjoyn him with that money to buy Armes; doth not this take away his property? therefore upon that which hath been said, the Lords and Commons doe affirme, as they did in their former Declaration, That if the

said Commission were Legall, it would bring the Subjects of *England* to a heavier yooke of Bondage, then the Ship-writs did; those only charged the estates of the Subjects, and when they had payed their money, they were freed; this chargeth their persons to continuall service, as long as the Commissioners please, and by this Commission, the Commissioners may multiply charges upon mens estates, as oft as they shall think fit.

The way taken to prove the Commission warranted by the Common-Law, is first, by *Reason*, secondly *Presidents* of severall times, wherein such Commissions have been granted.

The Argument urged to make it good by *Reason*, is from the impossibility of the Kings Protecting and defending his people, without his having power to grant such a Commission.

To answer this, wee deny that there is an impossibility of defence without such power, and wee affirme that the Kingdome may bee defended in time of danger, without issuing such Commission, or executing such power. For, wee say, That the Law hath provided severall wayes for provision of Armes, and for defence of the Kingdom in time of danger, without such a Commission. 1. All the *Tenures* that are of His Majesty by *Barony*, *Gravend Serjeanty*, *Knights-service in Capite*, *Knights-service*, and other like Tenures, were all originally instituted for the defence of the Kingdome in time of warre and danger, Vide Chart. H. 1. irrotul. in libro Rubro Scac. Coke Instit. 75. Bracton. 36, 37. Britton. 162. 35. H. 6. 41. Coke 8. 105. Coke 6. 2. Coke Instit. 1. pars 193. as appears by the Statute of 7. E. 1. of *Mortmain*, which saith, *Servitia quæ ex huiusmodi feodis debentur ad defensionem Regni ab initio provisæ fuerunt*. These *Tenures* in the *Conquerours* time were many, and since they are much encreased; and these are all bound to find men and Arms, according to their Tenures, for the defence of the Kingdome.

2. As those *Tenures* are for the defence of the Kingdome, so the Law hath given to His Majesty divers *Priviledges* and *Prerogatives* for the same end and purpose; that with the profits of them, He should defend Himselfe and His people in times of danger; of which His Majesty is, and alwayes hath beene in actuall Possession since His access to the Crowne.

For the defence of the Kingdom, His Majesty hath the profits of *Wardships*, *Liveries*, *Primer seizens*, *Marriages*, *Reliefes*, *Fines for Alienation*, *Customes*, *Mines*, *Wrecks*, *Treasuretrove*, *Escheats*, *Forfeitures*, and divers other the like casuall profits, That by these Hee may

may bee enabled to defend the Kingdome, and that hee enjoying them, His Subjects might enjoy their estates under His Protection free from Taxes and Impositions for defence : Therefore it is declared, 14. E. 3. cap. 1. That all the profits arising of an ayd then granted to the King by His people, and of Wards, Marriages, Customs, Escheats, and other profits rising of the Realme of England, should bee put and spent upon the safeguard of the Realme of England, and on the Warres in Scotland, France, and Gascoigne, and no places elsewhere during the Wars. And the Lords and Commons in Rich. 2. time (knowing the Law to bee so) did (as appeares by the Parliament Rolls 6. Rich. 2. m. 42.) passe a Petition, That the King would live of His owne Revenues, and that the Wards, Marriages, Relieves, Forfeitures, and other profits of the crowne, might bee kept to bee spent in the Warres for the defence of the Kingdome.

3. If the said Tenures and Casuall profits rising by His Prerogative will not serve for defence, but more help is necessary, by the Fundamentall Laws and Constitutions of this Kingdome, His Majesty is intrusted with a power to summon Parliaments as often as He pleases, for defence of Himselfe, and His people, when His ordinary Revenues will not serve the turn; and there is no other legall way (when the others are not sufficient) but this, and this last hath bin ever found by experience, the most sure and successfull way for supply in time of eminent danger for defence of the Kingdome, and to this, the Kings of this Realm have in times of danger frequently had recourse.

A main end why Parliaments are called, is for defence of the Kingdome, and that other supplies then those before mentioned, cannot bee made without a Parliament, appeareth by the Writ of Summons : In which the King shewes His Resolution to call a Parliament, *Pro arduis & urgentibus negotiis nos, statum & defensionem Regni nostri Anglia & Ecclesie Anglicana concernentibus* : Then there is a command to the Sheriffe to cause to bee chosen two Knights : &c. and to command them to appeare at a day there set, *Ita quod iidem milites plenam & sufficientem potestatem pro se & Communitate Comitatus prad. habeant ad faciendum & consentiendum hiis qua tunc & ibidem de Communi consilio dicti Regni nostri contigerit ordinari super negotiis antedictis*. *Ita quod pro defectu potestatis huiusmodi dicta negotia infesta non remaneant quovis modo*. This Writ shewes that this of defence is one of the maine of those *ardua Regni* for which a Parliament is and ought to bee summoned ; It further shewes, That if the Parliament should faile by not returning of Knights and Burgeses that had such power for their Counties.

Counties, and Boroughs, the defence would fail, & *dicta negotia*, will bee *infesta*, unperformed. And that is the cause our Ancestors have been so carefull to provide for frequent calling of *Parliaments*: In *Edward* the third's time, Lawes were made to have a *Parliament* held every yeare, or more often, if need was, and these being held as they ought to be, it is easie for the *Parliament* to take care for the defence in the *interim* between *Parliaments*.

By this that hath been said, it appeares that there is no such impossibility for defence without this Commission as is pretended, but that the Kingdom may be as it hath been defended without it.

But admitting it should bee so, that without this power to grant such a Commission, the King could not defend his people, it followes not that therefore he might grant such a Commission: It hath heretofore been said, *without Tonnage and Poundage*, His Majesty could not defend the Kingdom: was it therefore due to him by Law, without a grant by *Parliament*? If he cannot defend the Kingdom without granting such Commissions, there must some new Law be made for defence of the Kingdom, either by enabling the issuing of such Commissions, or otherwayes as the wisdom of a *Parliament* shall think fit.

If by the Common Law the King might charge his Subjects for defence of the Kingdom in times of danger, those Princes were ill advised, that have desired aid of their Subjects for *publique* defence in such times, and engaged themselves without any *salvo jure* for repayment.

In *Richard* the Seconds time, The Kingdom was beset with enemies, both at sea and by land; by the advice of the then Privy Counsell, there was a great Councell called of most of the Bishops, Lords, and other great men and Sages of the Realme, to consider what was fit to bee done in those difficulties: They met and concluded. That *there was an absolute necessity of a present preparation for defence, and that the Kings Coffers wanted money to doe it.* They came (as the Record saith, *Rot. Parl. 2. R. 2. n. 3. 45.* to a finall resolution What was to bee done in this case of extremity for the defence of the Kingdome: which resolution, *Scroop* then Lord Chancellour delivered unto all the Lords in the ensuing *Parliament*, and 'twas thus, *That since the last Parliament the said Councell met, and considering the great danger the Kingdome was in, and how money might be raised in case of that eminent danger for the Kingdomes defence, which could not stay the delay of a Parliament, and how the Kings Coffers had not sufficient in them, They all concluded, that money could not bee had for such defence, without laying a charge upon the Comminalty, and that charge could not be laid without a Parliament.*

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Therefore the Lords and Sages then Assembled, did themselves for that time supply the present necessity with money by them lent, and advised a *Parliament* aswell for further supply, as for repayment of the monies so lent.

The Kingdome cannot bee in greater danger, neither can there bee more need of supply for defence, then was in that case; yet they then declared there was no way for supply, without a *Parliament*.

The next Argument used to prove the Commission warranted by the Common Law, is from the *continall practise of granting such Commissions in former times*, which is said to bee enough to declare an ancient *Fundamentall Law*, or at least to introduce a new one. And for this, foure Presidents are cited in the time of Henry the Third, and diuerse others in severall Kings Reigns, beginning at 23. *Edw. 1.* and ending at 12. *Edw. 4.*

To answer these, if it should bee admitted that some Commissions of this kind have issued; The question now is not *de facto* what hath been done, but what *de jure* may bee done, and Presidents without some confirmation by judicciall proceedings, are no binding Authorities in Law.

But more particularly to answer these Presidents, and first that of the fourteenth of *Hen. 3. mem. 5.* There the Commission is to the Bishop of *Rocheſter*, to the then Steward of the Archbishop of *Canterbury*, and to the Sheriffe of the County of *Kent* and others, to compell men to be sworn and assessed to Armes, *as they were sworn in the time of King John*; In that Commission wee observe, first, That the Assize is set to which they shall bee sworne, and not left to the discretion of the Commissioners; and so is no warrant for this of ours, yet that it selfe is not legall; Secondly, in that none are commanded to bee sworne or Assessed for any lands, but those that are bound by their Tenures to finde Armes; Thirdly, By that commission men are sworne and assessed to Armes, *as they were in the time of King John*, and it appeares not that there was then any Law for swearing men to Armes, if there was not, the King by his Commission could not compell men to bee sworne without an Act of *Parliament*; and it doth not appeare that there was any Law to compell men to bee sworne to Armes, before the Statute of *Wincheſter*, 13. *Ed. 1.* for if there were, that Statute as to that point had been to no purpose: Fourthly, in that Commission there is no power for conducting men out of their Counties, as there is in this: Fifthly, neither is there any power for imprisoning in case of refusal, as is in this; further, by the words of that Commission it

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false,

selfe, it's rather implied that the King could not by Law affesse men to Armes, and that that Commission was rather a desire of the King, that his Subjects would so Arme themselves, then any way intended to be compulsory; The words are, *Et quia predicta forma non fuit eis prius sufficienter ostensa mandavimus predicto vicecomiti, quod si ea ad presens prompta non habeant, non ponat eos in default nec ea occasione aliquid de suo capiat, sed eos distringat ad ea habend. de cetero sub forma predicta*: Before that time they were not acquainted with this manner of Arming themselves; Therefore, although they have not their Armes ready, they shall not suffer for their default, but shall be distrained, to have them ready against another day, If there had beene any Law for that manner of Arming, by common intendment, the people could not have beene unacquainted with it.

For that of *Matthew Paris* of 36. *Hen. 3.* 'tis not to be found amongst the Records of that time; he only saith, That the King sent forth Writs for that purpose, but sets not downe there what the Writs were; howbeit in the *Addisamenta* in the last Edition of *Matthew Paris* in the fol. next after the *Adversaria*, one of those Writs are set downe verbatim, which Writ did Issue 26. *Hen. 3.* as appears by the Record, 26. *Hen. 3. ma. 10. dorf.* and beares teste the same day of the 11 oneth, there was then the same Chancellor, and it agrees with that which is cited to be 36. *Hen. 3.* which shewes 'twas only the mistake of *Matthew Paris* of the yeare 36. for 26. But neither in that Writ set downe in the *Addisamenta*, or in the Record is there any mention of *pristina consuetudo* for issuing such Writs; so that to prove that former custome, ther's only the conjecture of an Historian; who so little understood it, that he mistooke the Writ in time 10. yeares, and how weake a testimony that is to prove the Law to be so, all men will easily discern. Besides, there is not any mention there for mustering or enrolling, as in the Answer is said there was: But in that Writ ('tis true) all men are commanded to be sworn to Armes, and the particular affize is there expressed, and by the same Writ most of the things are commanded that are after enacted by the Statute of *Winchester*, 13. *Edw. 1.* So that they that go about to prove from that Writ, that the King at the Common-Law may grant a Commission of Array, may as well thereby prove the Common Law to be, that the King may make a Law to have the force of an Act of Parliament either for the imposing Oathes upon his Subjects, or for imprisoning the persons of such as shall travell through a Towne from Sunne set to Sunne rising; or compell the Hundred to repay such money as any man hath been robbed off within the Hundred; all which are contained in that Writ, and most of them are afterwards enacted in 13. *Edw. 1.* which they would not have beene,

had they beene legall before. But Writs or Commissions that issued onely in those times will not make a concluding president to prove the Law, for in the same place where the Historian mentions the issuing of that Writ: He tels us of the differences betwixt the King and his people about their liberties; where he saith, the *King observed not the Statute of Magna Charta, nor Charta de Foresta*; which much discontented the Subjects, as appears by their high expressions there recited, which wee purposely omit to mention.

In those times 'tis apparent that many illegall Writs and Commissions issued forth that discontented the people (amongst which this might probably be one) which was the cause that the people did so often desire to have the naming of their Chancellor, that so there might not be so many invasions upon their Liberties by colour of such Writs and Commissions under the great Seale: Wee shall leave that president with this, that it hath no colour in it of a Commission of Array; It's onely to swear men to Armes according to a certaine assize therein prescribed, which although it be wholly against Law, yet 'tis not so dangerous as ours, which leaves all to the discretion of Commissioners. For that in 48. Hen. 3. rot. Pat. M. 3. There being then an Invasion feared, the Sheriffe is commanded to *summon all Knights and Freeholders which are able to beare Armes, and have either 5^l. or 10^l. Land, that they come with speed in their proper persons to the King, where ever he shall be, with Horses and Armes to resist the Kings forraigne enemies*, and this they are to doe upon paine of forfeiture of all their Lands: and they are further thereby commanded to *provide to sustaine themselves in the Kings Army for three weeks after Michaelmas, if need be*: and the Sheriffe there is to provide, That those Horse or Foot-men that come to the King, and are not able to maintaine themselves, their charges shall be borne by the County, and he to levy it accordingly: all which is nothing to the Commission of Array, men are not there to be charged with Arms, but they are to come with those that they have; neither can any man justifie that Commission to bee legall, except he will say the King may compell his Subjects to come to him at his command with Horse and Armes, upon paine of forfeiture of all their Lands, and that men are bound to go to the King to his Holt, at their owne charge, or that the King may charge the County to finde Men to serve him in his Warres at their owne charges, all which are within the sayd Commission.

For the other of 48. Hen. 3. m. 7. dorf. it hath no shew of a Commission of Array in it, but is only a summons of Escuage for those that held of the King by Knights service.

For the rest of the presidents insisted upon, to prove the power of granting such Commissions to be in the King by the common Law, they are onely quoted, but it appears not by the Answer what they are; they are all in time between 23. *Edw.* 1. and 12. *Edw.* 4. during all which time, the Statute of *Winchester*, 13. *Edw.* 1. was in force, and to all of them wee say thus much in generall: First, that Commissions of Array might lawfully issue during all that time, that is, from 23. *Edw.* 1. till 12. *Edw.* 4. for in all that time the Statute of *Winchester* was in force, but now its repealed: Secondly, That all the Commissions of Array that issued forth in that time, to charge men with Armes, *secundum statum & facultates*, were warranted by that Statute which saith, That all men shall be sworne to Armes, according to the quantities of their lands and goods: and all Commissions that issued after that Statute which imposed a greater assize, or other penalty to be laid upon the Subject then were prescribed by that Statute, were all of them against Law.

The Presidents cited are many of them to charge men with Armes, either *Statum suum decentia*, or *secundum statum & facultates*, or according to the Statute of *Winchester*, and those are all warranted by that Statute as to the point of charging men with Armes: But most of the Commissions that runne so, have other clauses in them, which are clearly against Law, which to recite particularly, would too much enlarge this our Declaration.

Of the multitude of Presidents cited there is not one before *Henry* the fourths time, which agrees with the Commission now in question, but they differ from it in many materiall things. Some of them being onely summons of *Escuage*, for those that hold by *Knights Service*, some of them commanding men to provide Horse and Armes for themselves, such as themselves should thinke fit; others of them to assemble together the armed men in their proper Counties for defence of their owne Counties, as those for *Northumberland* and *Cumberland* were to defend themselves against the *Scots*: And those of *Essex*, *Kent*, and *Suffolke*, for defence of the maritime parts against forraigne enemies, nothing at all to the Commission of *Array* now in question. And from the beginning of *Henry* the fourths time, till 12. *Edw.* 4. there are not above two of the Presidents cited that agree with the Commission now in question: And those that will argue from those Presidents cited in the Answer, That the King by the common Law may grant such a Commission as this, may as well maintaine from them that the King may compell his Subjects to arme themselves upon paine of forfeiture of all their Lands and Goods, or that for not obeying, the King may seize their Lands

and Goods, or may grant Commissions to raise what number of men hee pleases to serve him in any place that hee shall appoint, or that hee may compell Counties to find and maintaine Souldiers at their owne charge, all which are against the knowne fundamentall established Lawes and Statutes of the Kingdome, and yet none of these but have warrant from some of those Presidents quoted in the Answer.

But it is objected that all the foresaid Commissions for finding of Armes *secundum statum & facultates*, were warranted by the common Law, and that the Statute of Winchester, 13. Edw. 1. extended not to finding of Armes for defence of the Kingdome, for (saith the Penner of the Answer) that Statute was onely intended to have men arme themselves for the preservation of the peace of the Kingdome at ordinary times against Riots, Theeves, and Robbers, and not against forraign enemies. And this hee urges from severall reasons. First, from the pettinesse of the Armes imposed by that statute, which are not (saith hee) fit to defend the Kingdome against Invasions. Secondly, from the quantity of Lands and Goods charged; It is said, none above fifteen pound Lands, and forty marks Goods, and so under those proportions are charged, Thirdly, from the words of the Act, and the Articles of enquiry upon the said Act, and from the words of the Statute of 2. Edward the third, cap. 6. The words are, That every one shall have in his house harnesse to keep the peace, and the Articles of enquiry are onely for the peace. Fourthly, in that none of the Commissions after that statute of Winchester 13. Edward the first, did agree with the assize therein prescribed.

To give particular answer to these objections, it will be fit to consider the words of this statute of 13. E. 1. cap. 6. Which are: And further it is commanded that every man have in his house Harnesse for to keepe the peace after the ancient Assize. That is to say; Every man between the age of fifteen and threescore, shall bee assessed and sworne to Armes according to the quantity of their Lands and Goods. That is, to wit, from fifteen pound Lands, and forty marks Goods, an Hawberke, a Brest-plate of Iron, a Sword, a Knife, and an horse; and for ten pound Lands, and twenty markes Goods, an Hawberke, a Brest-plate of Iron, a Sword, and a Knife; and for five pound Lands, a doublet, a Brest-plate of Iron, a Sword, and a Knife; and for forty shillings Land, and more unto 100. shill. of Land, a Sword, Bow, and Arrowes, and a Knife; and he that hath lesse then twenty Marks in Goods, shall have a Sword, Knife, and other Weapons; and all that may shall have Bowes and Arrowes out of the Forrest; and view of Armes shall bee taken two times every yeare, and in all Hundreds and Franchises, two Constables shall be chosen to make the view of Arms, &c.

For the first objection, from the *pettinesse of the Armes*, mentioned in this Statute, wee say, that for ought appeares, the *Armes* there mentioned were most of the Arms then in use: There are *Hawberks*, which the *Answer* interprets to bee *Gorgetts*. There are *Brest-plates of Iron*, *Swords*, *Knives*, and *Horses*, *Bowes and Arrowes*: By *Horses* there, it cannot *secundum subjunctam materiam*, but be intended of *Horses with armed men*, otherwise what use are *Horses* of, either for preservation of the Peace, or preventing *Invasions*, and why the Statute should not extend to all manner of *Horse armes*, there can no good reason bee given; the Statute being for *Publique defence* shall be expounded beneficially for the *Common-Wealth*.

For the second objection from the *quantity of the Lands and Goods charged*, being but 15. *li.* *Lands*, and 40. *markes Goods*, at the highest, whereupon it is inferred, *Such a charge is not sufficient to defend against Forraigne invasions*, therefore the Statute extends only to provision of *Arms*, to prevent breach of the peace, for which these proportions charged may well serve.

For this; we deny that this Statute extends onely to 15. *li.* *Lands*, and 40. *markes Goods*, and to proportions under them: These of 15. *li.* and 40. *Marks*, and the lesse proportions, are put for examples, and not to exclude those that have above those values in *Lands* or goods; the intent being that every one according to the proportion of his estate (be it more or lesse) shall find *Armes* according to the asize therein prescribed; And this will be cleare from the words of the Statute which are generall; *Every man shall be sworne and assessed to Armes according to the quantity of his Lands and goods*, that is the generall rule for Arms; And the following words setting downe after what proportions men shall be assessed are particular instances to direct and guide the Commissioners how they shall charge all men with Arms in the execution of their Commission, according to the quantity of their *Lands and Goods*. And if onely these particulars mentioned should be included within the Statute, the former generall words would be void and to no purpose; and it is a good rule in Law, in exposition of Statutes, so to expound them, that one part doe not overthrow another, but that all parts may stand together: It was necessary there should bee a particular asize set, to take away the latitude, that otherwise the Commissioners might assume to overcharge men by reason of the former generall words; the Statute never intended to exclude them whose estates were above the examples mentioned, but to have the asize there mentioned a president for all estates after those proportions; it is a rule in Law, *Exemplum illustrant, non restringunt legem*; If this should not bee the sense of the Act, what justice was there in it, to charge men of 15. *li.* land per Annum, and to leave out men of 1500. *li.* land per annum.

For the objection from the words of the Statute, which speak onely of the preservation of the peace, and the articles of enquiry upon the Statute, which are to enquire if men have Weapons in their houses for the keeping of the peace, and the statute of 2 E. 3. cap. 6. which saith, that for the keeping of the Peace, the Statute of Winchester shall be observed, we say that it follows not, because the Statute speaks of preservation of the peace, that therefore it should not be intended for defence against Invasions; Is not the peace as much, nay more broken by Invasions and Rebellions, then by Theeves and Robbers? And had not the statute need to extend to those as well as to these? As for the distinction of ordinary and extraordinary breach, there is no such to be found in the statute, *Et ubi lex non distinguit, non est distinguendum*: for the Articles upon the statute that are to enquire onely, Whether Weapons bee kept for the preservation of the peace; That shall be intended as well for the preservation of the peace against rebellions and Invasions, as against theeves and robbers, and so likewise for the statute of 2 E. 3. cap. 6. which saith, that for the preservation of the peace, the Statute of Winchester shall be observed, for (as was said before) the peace is more broken by the one then by the other.

In Edward the seconds time as appeares 9. E. 2. rot. pat. 1. m. 22. when the Scots were ready to invade the Kingdome, the statute of Winchester was recited, and proclaimed, and all men were commanded to arme themselves according to that statute to resist the Scots, and to defend the Kingdome, and repell the enemies. The like was 15. E. 2. Rot. pat. 2. p. m. 7. They in those times thought that statute extended to prevent an Invasion, as well as to preserve the peace or ordinary times.

For the last objection from the Commissions granted after the Statute of Winchester, concerning which it is said, first, they were not grounded upon that Statute, because they did not mention it, and secondly, that diverse of them doe vary from the assize there prescribed, and so were not grounded upon that Statute, but were warranted onely by the Common-Law; we say as before, that all the Commissions that were granted after this Statute which gave power to the Commissioners to charge men *secundum statum & facultates*, for so much were warranted by this Statute, the words thereof being, that every man shall be assessed according to the quantity of his lands and goods, and then sets downe the particular assize that shall be for lands and goods, so that that assize is a direction to the Commissioners after what proportion they shall assesse men for their lands and goods in execution of such a generall Commission; and if they varied from that assize, what they did therein was without warrant, and illegall: And for the opinion of the two Judges mentioned in the answer, that by presidents in former times, the Kings of this Realm might

grant:

grant Commissioners of Array for defence of the Kingdome: It is very true, they might doe so at any time from 13. Ed. 1. the Statute of *Winchester*, till that Statute was repealed, which was 21. Jac. and now it being repealed they cannot grant such Commissions.

But more fully to give satisfaction to all these objections, and to prove that the Statute of *Winchester* was intended for provision of *Armes* for the defence of the Kingdome, as well as for the preservation of the peace at ordinary times, wee shall put the Statute of 5. H. 4. cap. 3. the words whereof are, *Bee it ordained that the Watch upon the Sea coasts shall be made by the number of the people in the places, and in manner and forme as they were wont to bee made in times past, and that in the same case the Statute of Winchester bee kept and observed.* That this Statute of 5. H. 4. cap. 3. was made for defence of the Kingdome, will appeare, first by the Petition upon which that Act was passed, which saith, that the neglect of watching on the Sea coasts is to the great damage and perill of the Realme. Secondly, from the cause of the making thereof, which was this; The yeare before the *French* had invaded the Kingdom, and there was now feare of their returning; and that this was the cause of making that Statute, appeares by the *Parliament Rolls* of that yeare, wherein it is declared, that the *French* intended forcibly to enter the Kingdome and destroy it, and that Act is made to prevent this invasion, and for defence of the Kingdome, and for this, it saith, *there shall be watches kept on the Sea coasts, and in that case the Statute of Winchester shall bee observed*, so that hence it is apparent the Statute of *Winchester* extended to watching upon the Sea coasts in time of an invasion feared, and therefore was for defence of the Kingdome: And this Statute of 5. H. 4. is not *Introductio nova legis*, but onely confirms the Statute of *Winchester*.

Another prooffe that the Statute of *Winchester* was intended for provision of *Armes* for defence of the Kingdome is the judgement of the *Parliament*, 3. R. 2. Ros. Parl. n. 36. in a Petition that passed both Houses; the words of it are, *Item, Whereas it is ordained by the Statute of Winchester and other Statutes that every man shall be armed and arrayed according to their Estates for the defence of the Realme, by reason of which Statutes every man is armed according to his Estate, and some men arme themselves beyond their Estates, as those in Northumberland, and the borders: Complaint is there made that the Parsons and Vicars take their Armes for mortuaries, and for this they pray reliefe, and that their Armes may goe to their heires or executors for the defence of the Realme: This opinion of the Parliament there answers the maine objections formerly made, as first to that that is objected, that the Statutes of Winchester provided onely for preservation*

vation of the peace and not for publique defence; it is here said in termes, that the Statute of Winchester was for the defence of the Realme; and for the objection that it extends onely to fifteen pound land, and forty markes goods, and not above; it is here answered in these words, that by the Statute of Winchester, all men shall bee armed and arrayed according to their estates for the defence of the Realme, by reason of which Statute, every man is armed according to his estate, and some beyond; here they declare that the Armes prescribed by that Statute were for defence of the Realme. Secondly, in that it is said, that every man is armed according to his estate, it shewes that they in that Parliament deemed that the Statute of Winchester extended as well to all proportions above 15. li. and 40, markes, as to those under, and excludes none, but includes all.

And lastly, it appeares that if a Commission issue to cause men to bee armed and arrayed, *secundum statum & facultates*, it is within the Statute of Winchester, although it mention not the assize in particular therein prescribed; for it saith that by that Statute every man shall arme himselfe according to his estate and faculties, and it mentioneth no assize.

And in the time of Edw. 3. his learned Councill at Law did then conceive that this statute was made for the safety and defence of the Kingdome, as appeares by one of the Presidents cited in the answer, Rot. Sc. 10. Edw. 3. memb. 10. where a Commission is granted to cause men to bee armed according to their estates, and expresseth the assize in the Statute of Winchester, and saith that the arming shall be *secundum formam statuti apud Winton. pro securitate & defensione Regni editi*.

We have spent the more time in clearing this, because hereupon depends most of the materiall things in the answer, for the proving of the legality of the Commission by the Common Law, and this being thus cleared, wee doubt not but it will give satisfaction to any indifferent man.

But before wee passe from this Statute of Winchester, one thing more is observable, which is, that men were compellable at the Common Law to arme themselves although it was for preservation of the peace, if they were, that Statute had bene needlesse which is compulsory, yet the penner of the Answer will have a power in the King by the Common Law, to charge men with Armes, for defence of the Kingdome. Why shall not the Common Law as well provide for preservation of the peace, of which there is continuall use; as for defence against invasions, which are seldome attempted? It is a rule in Law that *ad ea que frequentius accidunt jura adaptantur*, the Law makes provision for those things that there is most frequent need of. Before we leave that

part of the answer where the labour is to prove the said Commission warranted by the Common Law; In regard that the penner of the said answer hath endeavoured to prove it by the Conquerours Lawes, and by the Presidents in *Hen.* the third time, that the Common Law then was, that the King might charge his Subjects with Armes for defence of the Kingdome, wee shall by those very Lawes and by Presidents of those and after times make it apparent that the King could not then charge any of his Subjects either to finde Armes, or to serve in person other then such of them as were thereunto bound by their tenures or contracts, nor those any further or otherwise then they were thereunto bound by their tenures or contracts, whence it will follow, that till 13. *Edw.* 1. there was no Law to compell men otherwayes to finde Armes, then as aforesaid, and that Law being now repealed, as it was by the Statute of 21. *Iacobi*, there is now neither Common Law nor Statute Law to compell any men to finde Armes, but those that are bound to doe it by their tenures or contracts. To make this cleare we shall begin with the Conquerours Lawes, inrolled in the red book in the Exchequer; the words are, *Volumus etiam & firmiter precipimus & concedimus quod omnes liberi homines totius monarchia Regni nostri predicti habeant & teneant terras suas & possessiones suas bene & in pace libere ab omni exactione injusta, & ab omni tallagio; ita quod nihil ab eis exigatur vel capiatur nisi servitium suum liberum quod de jure nobis facere debent & facere tenentur, & prout statutum est eis & illis à nobis datum & Concessum jure hereditario imperpetuum per commune consilium totius Regni nostri.* These words are plain and full, that all men shall be free from all taxes, and the words, *& ab omni tallagio, &c.* makes it apparent, that the King cannot require any thing of any free man, but what he is bound to doe by his tenure; the words are so generally, that they extend to all taxes whatsoever, as well as those for defence as others.

Another Law of the Conquerours is that, whereof part is cited by the penner of the Answer, but hee leaves out the most materiall part of it with an *&c.* The words are, *Statuimus etiam & firmiter precipimus, ut omnes Communes, Barones & milites, & servientes, & universi liberi homines totius Regni nostri predicti habeant & teneant se semper bene in armis & in equis ut decet & oportet.* Thus farre the penner of the answer ekes in his *Corrigenda*, leaving out the residue, which is, *Et quod sint semper prompti et bene parati ad servitium suum integrum nobis explendum et peragendum cum semper opus affuerit secundum quod nobis de feodis debent et tenentur suis de jure facere, et sicut illis statuimus per commune consilium totius Regni nostri predicti; et illis dedimus et concessimus in feodo jure hereditario hoc preceptum non nostrum sit violatum ullo modo super forisfacturam nostram plenam.* This explaines the other, and shewes what the Services

are that may bee required of the Subjects, that is, that those that hold by Knights service shall alwayes have Horſe and Armes, and thoſe they muſt have that they may doe their ſervice to the King or other Lords, when it is needfull; theſe tenures, as appeares by the ſaid Lawes, and by the authorities before cited, were created for defence, and they were the onely proviſion that the Conquerour made for defence; and in thoſe Lawes are negative words that nothing elſe ſhall bee demanded.

As the Law was in the Conquerours time; ſo it continued in Henry the thirds time; for then no man was bound to doe any military ſervice, except hee was thereunto bound by his tenure or contract; and therefore the ſummons of *Eſcage* was to thoſe onely that held by Knights ſervice, they being onely bound to perſorme that ſervice for the defence of the Realme, and if at any time more was required either for Armes, or otherwiſe then they were bound to by their tenures, the King did acknowledge it, and then declare and grant to his Subjects, and their heires, that it ſhould not turne to their prejudice, nor to bee drawne into conſequence or example for after times: That King would never have done ſo if hee could by the Common Law have compelled his Subjects at his pleaſure to finde Arms, and to ſerve with them. The grants that this King made in this kinde were many, one of which wee ſhall here ſet downe at large; it was made 48. Hen. 3. Rot. paten. m. 2. in theſe words:

Rex omnibus &c. cum vulnerabilis pater G. Eborum Archiepiſcopus et alii prelati magnates milites libere tenentes, ac omnes alii tenentes, ac omnes alii de Regno noſtro nobis nuper in articulo neceſſitatis ad deſenſionem ejuſdem Regni contra hoſtilem adventum alienigenarum ſervitium fecerint, et ſubſidium ultra quam temporibus retroactis in aliis ſummonicionibus exercitus noſtri facere conſueverint nos ob fidelitatem et promptitudinem dicti Archiep. & aliorum indemnitatem ſua proſpicere volentes concedimus eidem Archiep. Prelatis ac omnibus aliis predictis pro nobis & heredibus noſtris, quod id quod nobis in articulo neceſſitatis præd. fecerint ſibi non cedat in præjudicium nec impoſitorium trahatur in conſuetudinem vel conſequentiam, nec ad huiusmodi ſervitium vel ſubſidium faciend. compellantur ita tamen quod ſervitium ſuum quod nobis debent faciant temporibus futuris cum ſuper hoc à nobis fuerint requiſiti in cujus &c. T. R. apud Weſtm. 18. die Octobris &c. It appeares by this Record, that all or moſt of the Kings Subjects in that articulo neceſſitatis for defence of the Realm did more then they were bound to doe by their tenures, ſome did ſervice that owed none, others performed more then they were bound to doe; it is implied by the Record that they had a larger ſummons then was uſuall in times before paſt, now the King taking notice of their readineſſe to ſerve him, and minding their indemnitie doth grant to them and their

heires that *what they had done in those present straights should not turn to their prejudice, nor be drawn into consequence or custom for after times*, but yet the King will have them that owe him service to perform it when they shall be required: which shewes that none were compellable to provide arms, or serve with them, but those that were bound thereto by tenure, all else are free. v. 48. *H. 3. pat. Ma. 6. accord.*

The like appeares by 48. *H. 3. M. 11. Dorff. to Norff. and Suff.* There it appeares that forraign enemies had raised great forces and made themselves ready to invade the Kingdom to destroy King and people. The Sheriffe is commanded to enjoin all men to prepare horse and arms to which they are sworn, to resist that present danger, *no man is to make any excuse although it was in harvest time, because the necessity admits no delay*, and there the King grants and declares, that *what they shall then doe shall be no prejudice to them, neither shall it be brought into custom.* By this it is apparant that all were summoned to provide horse and arms for defence, and that what they did should not be to their prejudice; if in any case men were compellable to arm themselves, here was good cause for it, but if it be said that they were here compellable, why then should the King promise that it should not be brought into consequence, nor should be to the prejudice of them or their heires, the like was granted 8. *H. 3. Rot. pat. memb. 2. 6.* This King alone did not make such acknowledgment and declaration, but many Kings since have done the like: which (had they had such a prerogative to charge men with arms (as in the answer is supposed) they would not so easily have made such declarations against their own right. *E. 1.* as appears 31. *E. 1. rot. pat. Ma. 27.* made the like declaration to his Subjects that came to him with horse and armes against his enemies and Rebels the Scots. The like 11. 12. & 13. *E. 2. Rot. Sco. Ma. 7. 13.*

An. 10. E. 2. rot. pat. p. 1. Ma. 26. It appears there, that the Lords & Commons in 9. *E. 2.* had granted to the King out of every Towne (except Cities and Boroughs) a sufficient man to be armed at the charge of the town from whence he came, and the particular arms are there mentioned with which he shall be armed. This grant was made to defend the King and Kingdom against the Scots, the King being willing to provide for the indemnity of the Lords and Commons, as (he saith) is just he should declare, that that grant shall not be to the prejudice of them nor their heires, nor be brought into consequence. The next we shall put, is a Commission granted by *E. 3. 19. E. 3. rot. pat. part. 1. Ma. 26. Dorff.* directed to divers Gentlemen of *Lincoln-shire*, reciting that the Rebels and the Kings enemies, as well French as Scots and their accomplices, had endeavored with all their force to invade the Kingdom of England; the King to resist them, and to have the Armed power of the Kingdom in readinesse, for the preservation of the peace by the consent

of the Prelates, Peers, and other wise men; ordained that all but Clergy should be assessed to armes according to an assize, then set what every one should find from 5^l. to 100^l. land, and so upwards. This Cômmission was groundd upon an Ordinance made by the King, Prelates, Peeres, and other wise men who were the Kings Counsell, they by that Ordinance prescribed an assize which exceeded that imposed by the *Stat. of Winchester*, 13. Ed. 1. Therefore in the next Parliament which was 20. Ed. 3. *Rot. Parl. N. 12. & 13.* This Cômmission was complained of, as appears by the Petitions & the Kings Answer thereto; in which he saith, that they all knew they had often promised him in Parliament, for defence and safety of the Kingdom of *England*, to ayde him with their persons and all they could, and that the Grandees and wise men (which were the Kings Counsell) did ordaine the assize mentioned in the Cômmission: yet the King wills and declares in Parliament, that what was done in that necessity, shall not be drawn into consequence or example: here is the opinion of the Lords and Cômmons, as appears by their Petition, that imposing of Armes otherwise then according to the *Stat. of Winchester* was against Law, which the King in his Answer agrees unto, which is an Act of Parliament in point, and proves that it could not be done, although for the defence of the Kingdome.

The last in this kind that we shall insilt upon, is a *Cômmission of Array*, which agrees with the Cômmission now in question, in most of the particulars therein contained, yet it wants severall of the illegal clauses that are in ours, It issued. 2. R. 2. *rot. par. p. 1. Ma. 9. Dorff.* It appears by the Record, that the Cômmission issued by the advice of the Kings Counsell when the Kindom was in danger by Sea and Land, yet the King there cômmands the Cômmissioners to publish and declare that it is not his intent, nor the intent of the Counsell, that the said Ordinance and accord which was then only for necessity, and for the safety and defence of the whole Realme shall turne to their prejudice, or be brought to example or consequence. By these presidents before cited, besides the Conquerours Lawes here are 5. of His Majesties Progenitors, and Kings of this Realme in immediate discent, disclaiming upon Record any power in the Crowne of England by the Cômmon Law of charging the Subject with arms or other wayes; then according to those Tenures; although for defence of the Kingdom diversly of which Kings have bin ever since their times, famous for their wisdom and valour, and known to have bin tender of their Prerogative, and zealous maintainers thereof; and if the Penner of the Answer had produced so many confessions of the Kings right by the Subjects, even when their Liberties were at the lowest ebbe, wee might then have been more induced to believe, that the King had power by the Common Law to issue such Commissions, then from all the Arguments used by him in the Answer. And whereas the Penner of the said Answer would insinuate unto the people, that wee doe not now submit to what our Ancestors have in things of this kind; upon what hath

been said we leave all men to judge whether those kings before spoken of would have made those Declarations, unlesse they had been desired so to do by their subjects, and unlesse they had fore-seen that without doing thereof they could not have given satisfaction to their subjects in their just rights & liberties.

But if the commission should faile at the common Law, then in the answer it is indeavoured to be made good by a statute of 5.H.4. which is said in the answer to be by our former Declaration confessed to be an act: To which we say first, That it is so confessed in our Declaration not simply, but first with reference to the Kings Proclamation, which calls it an act; and secondly, By way of admittance only, and if our former Declaration had so granted it to be an act as is pretended, we would fain know of the contriver of the answer what was the meaning of these words in the same Declaration, fol. 7. *and surely had it been conceived in those times that the forme of the Commission agreed upon 5.Hen.4. there entered had been by that Parliament enacted, they would not have issued so many Commissions of different words and matter*) and againe, fol. 12. it is said, (That as they did not complain of it, so they did not give it any establishment by Parliament.) But further, we say we are not satisfied that that of 5.H.4. concerning the said commission was an act of Parliament; and the truth of the case for that stands thus: There were then severall commissions of Array had issued into all or most of the Counties of England, all which had one and the same form, a copy of one of them is brought to the Commons, they alter divers clauses in it, and desire the King that no commission shall go otherwise, or in other words, and the King granted it: It is agreed the Commons did not gain-say the issuing of this commission, neither can any man say that they desired the issuing of it. If it be objected, that their not gain-saying amounted to an implicate consent; admit it so, the question then will be, whether this with the Kings consent to it will make it an act, there being in it neither forme nor circumstances, which are usuall for the making acts of Parliament: the Prayer and Petition of both Houses in this or former Parliaments to the King with his assent thereunto, be it for publick Fasts, or the like will not make them statutes or acts of Parliament; yet there is a Petition of Lords & Commons and the Kings assent, which is more then their bare assent to a thing propounded by the King, as in this case; neither will any man say that the Earl of Essex is Lord Lieutenant of Yorkshire by act of Parliament, though his Majesty made him so upon the desire, or by the privy of both Houses of Parliament; If the reason to make it an Act of Parliament because the King desired it, and the Lords and Commons assented to it, then by the same reason it will follow, that whatsoever hath been done in this or other Parliaments by the consent of the King, the Lords and Commons should be an act of Parliament, which we think no man will maintaine. The consent of the three estates in Parliament to a thing to be done doth not make the thing consented to an act of Parliament, without those

formes and circumstances, whereby they declare their intentions to have it an act of Parliament. In former times the regular way for the compleating of an act of Parliament was the Petition of the Lords and Commons, and the Kings Royall assent, and of latter times by bill, which after thrice reading in either House is tendered to His Majesty for His Royall assent, but in our case there is no Declaration of any desire or consent that it should be an act, neither is it drawn up into the forme of Statute, or entred upon the stat. Roll of that yeare, as most of the Acts of Parliament then were, neither was it ever printed as most Acts that so much concerned the King and Subjects have usually bin, and if the entring of it in the Parliament Roll shall gain it the opinion of an Act of Parliament, by the same reason may it be said that all the *Memorand.* & orders in like manner entered may be called Acts of Parl. which cannot be imagined.

It was not conceived an Act in 7. *H.4.N.36. Rot. Parl.* There this Commission is called a Commission enrolled, and not a Commission enacted, which it would have been, had it been so esteemed for *N.60.* in the same Parliament Roll, a Petition was presented to the King, and they desire that it may be enacted, enrolled, and proclaimed, for a Statute enrolling is not thought sufficient to make it an Act, and in the same Roll, speaking of a Petition that was presented in 5. *H.4.* for the succession of the Crowne which was then enacted, They call it not a Petition enrolled, but a Petition enacted, or an Act of Parliament throughout the Roll: And it is very probable they would have done so in this, had they deemed it an Act of Parliament.

But it is further objected, that this of 5. *H.4.* is an Act of Parliament: and that proved by the judgment of the Parliament, 7. *H.4.N.36.* whereby (saith the penner of the Answer) the Clergie are exempted from the Commission of 5. and if they were not bound thereby (and that they could not unlesse it were an Act) what need they be exempted?

To which we say that it follows not that that of 5. was an Act because in 7. the Clergie were exempted: In 5. there was a Commission issued forth, and that for generality of the words seemed to extend to all persons, as well Clergie as others, which because it was for defence, and granted when the Kingdome was in great danger, no man did oppose. Therefore the Clergie being within the words of that Commission desire now in 7. that they may be charged by themselves. And in this year of 7. *H.4.* the cause still continuing that occasioned the issuing of that of 5. as appears by the Histories and Parliament Rolls of 7. the Commission was also still continued, which Commission of 5. issuing in time of an imminent danger, which danger still continued, the Clergie do not desire exemption therefrom, but that they may be charged by themselves a part, and not with the Laity. And it doth not appeare that that of 7. was an Act, but only an accord in Parliament, which is no more then an Order, and this proves rather that that of 5. was no Act, for had it so been, how could this

of 7. (being only an Order of Parliament) have altered it in one of the essential parts, viz. In the Commissioners power who were to make the Array of all Subjects as well Clergy as Lay? Whereas by this of 7. the Clergy are to be Arrayed, &c. onely by the Arch-bishop: And if that of 7. was an Act, this Commission now in question must needs be against it, as not excepting the Clergy.

But admitting that of 5. was an Act of Parliament: The question will be first, what it enacts; Secondly, for how long time that Act endures.

Before we come to these particulars, we say as we did in our former Declaration, that the care of the Commons in the amendment of the said Commission was only to take out of the same such clauses as were grievous, hurtfull, and dangerous to those Commissioners: The Commons did look to the Commissioners then named, and not to themselves, knowing that the Law had made sufficient provision to save and defend them from any thing that should be executed upon those commissions. For those clauses in the answer alledged to extend to others then the Commissioners: 'Tis true those clauses did seem to enlarge the power of the Commissioners further then it extended after the amendment, yet the main end of the Commons in taking out those clauses was the indemnity of the Commissioners which they chiefly intended. For the first of the clauses mentioned in the answer to be taken away which was that the commissioners, should cause to be armed all those that were able of body, & had not wherewith to arm themselves. That clause did concern the Commissioners, & they had good cause to desire to have it put out; For if they should cause such to be armed as had nothing of their own in the County to stay them, the Commissioners might want their Armed men when they had most need of them, which might turne to the damage of the Commissioners and subject them to divers questions. And for that other clause of charging men to contribute to the charges of those that went in service. They had good cause also to have that put out, there being so many that were to be charged, & no certain rule either in law or the commission it self to direct them in the charge. We do therefore further affirme as we did in our former Decl. that the intent of the Commons there was not to settle any power of execution of the said Commission over the persons of any to be commanded, but only to save the Commissioners in those commissions named from danger, & there was no mistake in us, but in the penner of the answer in affirming the contrary.

This will further appeare, by considering the first of those questions before propounded, namely, *What doth the Statute* (admitting it to be one) *enact?*

That will better be answered by considering the words in the toll which are set down at large in our former Decl. The words of the prayer are *Prierent au Roy que desore en avant null comission de larraiisseroit autrement ne en autres parroles que est contenu en le dit copie.* In our former Decl. we translated the words *isseroit autrement*, &c. to signifie *issue out or should issue out otherwise*, &c. but upon further observation of the same words, and comparing them with

with the words before and after in the said Roll we conceive that the word *ifferoit* may have a more apt and proper signification. namely, *shall go*, and so the sence of the words will be, That no Commission of *Array*, that is, none of those Commissions before granted, shall go otherwise, or in other words, &c. And that this may be the sence of the word *ifferoit*, appears thus. The Commons then knew that before that time Commissions had issued out to most Counties of *England* (which that they had so issued appears by the Commissions themselves) that these Commissions were in the selfe same words with the copie sent to them; which Commissions so issued, then remained in the hands of the Commissioners; all which commissions had those very clauses in them, which they put out of the copy. They knew that whilst those very commissions so before granted, remained in the Commissioners hands, those clauses which they had rased out of the copy (they being still in the said Commissions) could not be taken away out of them by the said Commissioners. Now that those very commissions might from thenceforth be made to go as if the said words and clauses were wholly out, was the main endeavour of the Parliament: and for that they pray, *q'null' Commission de larray isseroit autrement ne en autres parrols, &c.* That is, that none of the said Commissions so formerly granted (there being then no other commission in question) should go otherwise, or in other words, &c. by which desire of theirs they intended that notwithstanding the commissions formerly granted had other words in them, yet none of those Commissions should go otherwise, or in other words then according to the copy corrected by them, and that those words and clauses put forth of the copy should from thenceforth be esteemed of, no otherwise then as if they were not at all in the said Commission.

Further, that the intent of the Parliament was, that the Commissions then formerly issued should go according to the copy by them amended, and that the Act extended not to any future commissions, appears in this, that if this should not be the intent and meaning of the said Act, then the Act it selfe which (as appears by the preamble and conclusion) is onely intended, for the benefit of the Commissioners to whom the commissions formerly issued would be to them of no avail, which cannot be imagined the Parliament ever intended. And if the word *ifferoit* should intend to enable future Commissioners, it would no way extend to relieae the then present Commissioners, whom the Parliament took speciall care of, and whose cases were only then before them. And that they did not intend to make good any future commissions will appear by this; First that so many commissions were issued immediately after this Act other wayes and in other words against the very letter and sence of the copy in the Roll mentioned; as may appear by

those that were granted immediately after the Act in 6. H. 4. which leave out a material clause for conducting the men at Arms, and armed men; Whereas had it been intended to extend to future commissions, it should have been a binding president for all commissions that issued out while the Act continued. They must not have issued forth *autrement* or *in autres paroles*: First, they must have had the same cause for their issuing which was an invasion. Secondly, they must have had the same form of words: onely *mutatis mutandis* for the Kings name, the Commissioners names, and other matters of form. Secondly, that the Parliament intended not to inable the issuing of future commissions, may be further proved from a clause in the said act, which is, *et que les dits Commissioners, &c. That the said Commissioners, their Heirs, Executors, or Tertenants by reason of any forfeitures, or penalties, or any other things comprized in the said commissions, be not, or hereafter shall not be any wayes molested, grieved, endammaged, or impeached in any time to come.* The Commons knew these commissioners, and therefore being confident of their integrity, desire that they may not be troubled or molested for any thing, which is as much, as if they had said they are Commissioners, and what ever they do they shall not be questioned for it, but it cannot be imagined that a Parliament would trust those that after should be commissioners (whom they knew not) with such a power as to have a commission wherein they may do or leave undone what they will in execution of it, & not to be questioned for it.

To the other question before propounded, *how long this act of 5. H. 4.* (admitting it to be one) *endures?* We say it was but temporary; first in respect of the commissioners, for whom it was made, as we have before proved: secondly in respect of the cause for which that commission was granted; The cause appears by the preamble of the commission it self, and by the Parliament rolls of that time, and by our former Declaration to be, That the French, notwithstanding the present truce, had entred the kingdom and burnt divers places in the Land: Therefore to prevent a second invasion, in case there should be any, and which was then feared, this commission was granted, giving power to the commissioners to *Array*, &c. and to vanquish the said enemies: Fixing it to the then particular enemies, and to that particular invasion; So that when ever that war was ended, and the danger of that invasion over, there is an end of the Commission. As if an act of Parliament had been made in 88. to have enabled the Queen to grant such a commission as this to the then Earl of *Lic:ster* or any other to be L. Lieut. Generall, and to *array*, &c. and to subdue and vanquish those enemies which were *Spaniards*. He by force of that commission could not have executed his power to prevent an invasion from *France*, neither could the *Qu.* by vertue of such an Act have granted a new commission to him to prevent any other invasion by.

ly any other Prince. Nor could K. *James* after her death, have granted a commission upon such a Statute to prevent another *Spanish* Invasion, because all in such Act was but Temporary.

And for this of 5. (what-ever estimation it had of an Act in the time of *H. 4.*) we do not finde, that after his time it was ever mention'd, or named, or esteemed to be an Act untill *Trinity Term, 16. Car.* in *Pargiters* case in the Kings Bench, where this of 5 *H. 4.* was insisted upon; to be an Act of Parliament, and there Judge *Crook* was of opinion that it was no Act; or if it were, it was but temporary, and Master *Pargiter* who was before committed, was bailed.

For the opinion of Sir *Edward Coke* the book is not yet printed, nor have we seen it, and therefore can give no particular answer to it, but this is well known to many of us, that Sir *Edward Coke* in the Parliament 3 *Car.* was of opinion, that the Law was defective touching this of Arms, and needed a supply by an Act of Parliament, which he earnestly desired; And in the second part of his *Institutes, fol. 528.* In his exposition upon the Statutes of Confirmation of the Charters of the Liberties; Upon all the Statutes concerning finding of Arms, he concludes the Law to be, That no man shall be charged to Arme himself or others; save such as hold by such service of the King or other Lords, whereby they are bound to it, unless it be by common-consent in Parliament, and saith, That that was the common-Law, which those Statutes did but affirm, which if it be so (as there is very little doubt of it) it wholly overthrows this Commission.

We have proved in the foregoing part of this our Declaration, that this commission hath no ground to warrant it, either by the common-Law, or by the Parliament of 5 *H. 4.* We shall now proceed to prove that it is against the Statute of 1 *Ed. 3 cap. 5.*

And although we shall need to say little in this, because most of the Arguments used against the former Declaration in this particular are already answered in our discourse upon the Statute of *Winchester, 13 E. 1.* and in our proofs that it is not warranted by the common-Law; yet to give a cleer satisfaction to all indifferent judgements, that this Commission is against this Statute of 1 *E. 3.* We shall first set down the words of the Statute which are these, *That no man shall from henceforth be charged to Arm himself otherwise then he was wont in the time of the Kings Progenitours, and that no man be compelled to go out of his Shire, but where necessity requireth of sudden coming in of strange enemies into the Realm, and then it shall be done as hath been in times past for defence of the Realm.* And we say, that this Commission is against both parts of this Statute.

For the first part: It is ordained that none shall be charged to Arm him-

self otherwise then he was wont in the time of the Kings Progenitours. Which words, *As he was wont*, cannot otherwise be intended, but to relate to the Statute of *Winchester*, 13 E.1. for before that time there was no way either compulsory or certain for finding Arms.

But it is objected, That this of 1 E.3. cannot refer to that of 13 E.1; first, because it names it not, which another Act, 2 E.3. cap.6. doth the year after, which referred unto it.

Secondly, in the Statute of 1 E.3. the words, *As he was wont in the time of the Kings Progenitours*, cannot intend so late a Statute as that of 13 E.1. but intends that none be charged otherwise then *secundum legem & consuetudinem Regni*, which (saith the *Pennar* of the *Answer*) is according to the common-Law, and so he makes the Statute of 1 E.3. but an affirmation of the common-Law.

To the first Objection we say, That there is no necessity that one Statute referring to another, should mention the Statute to which it refers, when it alters nothing in the Statute to which it refers, but it was fit that the Statute of 2 E.3. cap.6. should mention it, because it enlargeth it, and gives Justices of Peace power to enquire, and punish the breaches of it, but this of 3^o alters nothing in it.

Secondly, for the other Objection from the words, *As he was wont*, we say this refers to the assize mentioned in the Statute of 13 E.1. which before that Statute was the ancient assize, but till that Statute not compulsory, so that that Statute makes the assize legal and compulsory, which before was only voluntary and so used, and for the words, *as he was wont &c.* the meaning is no more then this: he shall not be compelled to Arm himself above the assize anciently used, which assize is established by the Statute of *Winchester*.

As this Commission is against the first part of that Act of 1 E.3. so it is against the second, as also against the Stat. of 4 H.4. c.13. which confirms it.

The words are, *No man shall be compelled to go out of his Shire, but for cause of necessity of sudden coming in of strange enemies into the Realm, and then shall be done, as hath been used in times past for defence of the Realm*: and this is confirmed by 4 H.4. which both did confirm the liberty of the Subjects persons, that they should not be compelled out of their Counties, but in case of necessity; and then it should be done as hath been used in times past for defence of the Realm: here is no power given by this Statute, to compell men to go out of their Counties, but in case there be necessity by sudden coming of strange enemies, and then it shall be done as hath been used, &c. And what usage was that? It was this; In such a case men that held by *Knights Service*, or that were tied by contract were to go out of their Counties, and no others, and that this was the meaning of the Statute, appears by the exception in 4 H.4. where

where are excepted those that hold by *Knights Service*, and such as were tied by particular Grants to them made to do such service, & that none else were compelled before 1 E. 3. may further appear by the Laws of the *Conquerour*, and the Declarations made by *H. 3.* and the other Kings before cited.

Now this Commission gives power to the Commissioners or any three of them to lead and conduct the Armed men, and men at Arms to the Sea-coasts, and other places as need shall require, so that the Commissioners have power given them here to dispense with the Statute at their pleasures.

But it is further objected, Men may be compelled to go out of their Counties in case of necessity, and that is urged from the words of the Printed Stat. which (saith the Penner of the *Answer*) are disjunctive, *In case of necessity and sudden coming of strange enemies*) where the word *and* is to be taken disjunctively for the word *or* as is usual in the exposition of Statutes, and then (it is said) that in two cases by the meaning of this Statute men may be compelled to go out of their Counties; 1 for necessity within the Kingdom (i.e.) for a Rebellion. 2 for necessity rising from abroad, (i.e.) sudden coming of strangers.

To this we must needs say, that the Contriver of the *Answer* makes *quidlibet ex quodlibet*, he makes a new Statute by putting in the word *and*, where there is no such word, and then expounds the word *and* for *or* there being neither *and*, nor *or*, in the Statute, but the words are as before we have quoted them, *In case of necessity of sudden coming in of strangers, &c.* which shew that the Parliament intended by that Act, that no necessity should warrant the compelling men out of their Counties.

And that the words are as we have cited them, appears by the recital of them in 4 H. 4. and by the Printed French Copies of the Statute which we have seen, which run thus: *Nul soit distreints de aller hors de leur Counties, Si non pur cause de necessity de sudden venir de strangers, enemies deins le Royaume, & doncque soit fait come adestra fait avant ces heures pur defence du Royaume.* And agreeable with these is the Transcript of the said Statute of 1 E. 3. remaining in the Exchequer, in an old parchment book, where it is said, *hoc statutum recepit Walterus de Norwico, Baro hujus Scaccarii 20 Feb, 2 E. 3, per manus * Johannis de Kinnerfley, Clerici ibid. Statut. hic liberantur.* The words are in French agreeing *verbatim*, which the French Copy before cited.

Agreeing with this is another old book in the said Court, where the same Statute is transcribed and entred. And for further proof that the Law is so, It was so declared by the King, Lords, and Commons in this present Parliament, after long debate, in the Act for the pressing Souldiers for Ireland, as appears by the Act

it self, which being so is the strongest authority to declare a Law that can be. And agreeable with that Declaration is the opinion of Sir Edward Coke, upon the Statute *de Confirmatione Chartarum* before cited, folio 528. All which authorities are more to be regarded then the bare conjecture of the Penner of the *Answer*, who citeth no authority at all to warrant his contrary opinion.

In our former Declaration we affirmed, that this Commission was against the Petition of Right from the grounds therein set forth, which the Penner of the *Answer* denies and affirms, that the Petition of Right restrains not the King from imposing charges upon his Subjects for defence of the Kingdom, but restrains such charges onely as are for the Kings own profit and advantage; And this he endeavours to make good from two grounds; 1 That all charges imposed by the King, for defence of the Kingdom, are out of the words of the Petition: 2 That they are not within the intent of it.

1. To prove that they are out of the words, he saith, that the Statute extends onely to such taxes, or charges, as are yeilded and made as upon loan, gift, benevolence, &c. Which (saith he) must be intended to some person, and that can be none but the King.

Secondly, That these charges for defence are out of the intent, he labours to prove upon these grounds; First, he saith, that the charges imposed upon the Subject, which occasioned this Petition, were loans, benevolences, &c. which were for the Kings use, and not those that were for defence of the Kingdom. Secondly, that the old Statutes cited in the Preamble of the Petition (saith he) extend to no Charges, but such as were for the Kings profit onely, and those Statutes the Petition intended onely to confirm; For (it is said) the Petition of Right, intended onely to declare an old, and not to make a new Law.

To every one of these we shall give particular satisfaction, that it may appear to all indifferent men, how frivolous these objections are, and invented rather to delude the weaker sort of people, then to gain any credit from them, that understand them.

For the words of the Petition, the Objection stands thus: *It matters not what is in the Preamble of the Petition, the prayer is onely, that no man be compelled to make or yeeld any gift, loan, benevolence, tax, or such like charge without common consent of Parliament, which (saith he) from the words make and yeeld, must be to some person, and that must be to the King, and extends not where it is to or for the Common-wealth.*

To this we say, That according to the litterall and Grammaticall construction of these words, *Make or yeeld such like charge*; one may as well be said to make or yeeld a charge, when it is for the defence of the Kingdom,

dom, as when it is yielded to the King, and although the *Penner* of the *Answer* observes only those words, *make* and *yeeld*, to be in the prayer of the Petition, yet he admits the words to be larger in the Preamble, but he will have nothing within the Petition, but what is within the prayer. For clearing whereof, it may be observed, That the Lords and Commons do in the Preamble of the Petition declare the right of property of the Subjects in these words: *That by the good laws of the Kingdom, no man should be compelled to contribute to any tax, tallage, ayde, or other like charge not set by common consent in Parliament*; which words being so generall and absolute, extend as well to charges imposed for defence of the Kingdom, as to those that are for the King, and that the *Penner* of the *Answer* denies not, so that that Declaration of Law in the Petition stands good. and is not denied in any part of the *Answer*; and no man can deny, but the charging of men to finde Arms for themselves or others, is a compelling men to contribute to a charge against that Declaration: But that the prayer it self is of as large extent as that part of the Petition, appears by these words of the prayer; *Therefore they pray that no man be compellable to make or yeeld any gift, loan, benevolence, or such like charge, &c.* by which words *therefore* and *such*, being both relatives, the preamble and prayer are necessarily joyned together; the Lords and Commons having before declared the Subjects right, do by the word (*therefore*) make that the reason why the King should grant it, and the word (*such*) in the prayer refers to all the charges of what kinde soever that were mentioned in the Preamble.

But the *Penner* of the *Answer*, to make good his Construction of the Petition of Right, puts two instances: That if his exposition hold not true, then the Kings commanding a City to repair their Walls, or a Levell to amend their Sea-banks, will be against the Petition of Right too. Wherein we shall agree with him: That the instances put are against the Petition of Right, as well as the Commission of *Array* is, For as we have said before, that none are compellable to finde Arms, but such as are thereunto bound by Tenure, or by Contract; so we now say, That in the cases put, none are bound to repair City Walls or Sea-banks, but such as thereunto are bound by Tenure, prescription, or contract; Neither are those (that are so bound to repair such Walls or Banks) compellable to do them by vertue of any Writs or Commissions under the great Seal, but there must first issue the due proccesse of Law, which is a presentment of a Jury, whereby the cause of their charge is to be found, whereunto the parties presented may have their traverse, which is their legall way of defence, in case the presentment be unjust, but if they admit the presentment good, and do not traverse it, then the King
by.

by Writ may command them to repair, because there is a Record to warrant that command.

Secondly, as to the charges imposed on the Subjects which occasioned this Petition, we say they were such as were laid upon the Subjects for the defence of the Kingdom; And that appears by the words of the Petition, by which it is plain that the charges complained of were of two natures; First, *The Commission for the loan*, that issued the year before: Secondly, *The charges imposed by Lord Lieutenants, and Deputy Lieutenants*: For the first, it is well known, that the grounds of demanding that loan were (as appears by the Commission it self) *2 Car. The Crown was engaged in a Warre by advise of both Houses of Parliament, whereby the King, His Subjects, and Allies were in danger, the parts beyond Sea, where we went our Cloath, and from which we have our provision for Shipping, were endangered; the great preparations of enemies at Sea and Land, did threaten the Kingdom daily; The Kings honour and the subsistence of him and his people, and true Religion, were all in danger to suffer irrecoverably without a speedy supply made, which could not stay the delay of calling a Parliament. The people are assured in the Royall word of a King, That all the money should be bestowed upon the Publike services, wherein all the Subjects have their common Interest: There is onely Money desired to be sent, not for the Kings advantage, but to be employed for Publike defence in time of danger; and this was one of the occasions of the Petition of Right, and this declared in the Petition of Right to be against Law.*

And for the other Charges occasioning that Petitioning by Lord Lieutenants, and Deputy Lieutenants, the allegation of the Penner of the Answer seems strange to us; that *any charges imposed by them upon the Subjects should be for the Kings use or private advantage*, When those Commissions have been ever pretended to issue for safety and defence of the Kingdom; And the reason used by him to enforce it, seems more strange then the Allegation it self: That *therefore they were such as were to the Kings use, because they were such as the King ought to have born*; Wherein it is confessed that the Charges laid upon the Subject for *Coat and Conduel-Money, Muster-masters wages, &c.* ought to have been born by the King; And we know not but by the same reason all other Charges that are for the defence of the Kingdom ought to be born by the King; And (if so) from that Argument of his it will follow, that all Charges imposed for defence are to the Kings use; because they are to be born by the King, and therefore against the Petition of Right.

As to the old Statutes mentioned in the Petition of Right, it is said in the Answer, that *they onely extend to restrain such Charges as were for the Kings advantage,*

To which we say; we find not that any King of this Realme did ever pretend any power of imposing Charges upon his Subjects for his owne private gain; and so such charges as were never imposed, could not possibly be the occasions of those Lawes, neither needed there any Law to take away a power, which was never challenged or pretended to; But the truth is, most of those illegall taxes, and charges which have heretofore been imposed by the King upon his people, have been ever pretended for publick defence, which occasioned those severall Lawes mentioned in the Petition of Right, which refers to all Statutes formerly made to that purpose.

The first Statute we shall mention which is included within the Petition of Right by the words there (*other good Lawes and Statutes*) is that of 25. Ed. 1. The King there grants, that he will not draw aydes and taxes in custome for any thing that hath been done heretofore, be it in roll or any other president that can be found. And further grants, that for no businesse from thenceforth he should take such manner of aydes, taxes or prizes, but by common consent of the Realme, and for the common profit thereof, saving the ancient prizes due and accustomed. By which it appears that no ayde or tax can be taken without consent in Parliament, although it be for the profit of the Realme.

The causes of making this Statute appear to be, That the Subjects had been much charged with aydes and other taxes for defence of the Realm, which they desired might not turne to their bondage, and further desired the King to seale Articles, which they say, are for the common good, and for redresse of their grievances, which the King refusing, divers great Lords left the Court, and the people were generally discontented; whereof the King takes notice, and thereupon 12 August the King, (as appears by the Parliament Roll of 25. E. 1. M^a. 7.) taking notice of their discontentments, declares, that without the aforesayd Taxes hee could not have defended the Realme. Yet hee is sorry for it, and prayeth them that this may be His excuse, as having done these things neither to buy Lands, Castles, or Townes, but to defend himselfe and the whole Realm: And that if Hee returned from Flaunders whether He was then going, He would let all men know, that he would amend all, for the honour of God, and the content of his People: And that he had done much already, and if he died his heir should make amends.

And in October following this Statute was made, which being compared with the aforesayd Declaration, shews plainly that the grievance against which this Law was made, was those Taxes formerly taken by the King for defence of the Kingdom: And now the King will for no businesse take any Taxe, Ayd, &c.

The next Statute which Wee shall mention, is that *De Tallagio non concedendo* cited in the Petition of Right, The words whereof are, *No Tallage or Ayde shall be set or leyed by Vs, or our Heirs, in our Kingdome, without the good will and assent of the Archbishops, Bishops, Earles, Barones, Knights, Burgessees, and other Frecholders of the Kingdome.* This Statute prohibits all charges upon the people, although for defence, the words being, *No Tallage or Ayde shall bee layed by Vs*, it sayeth not, *for Vs*, but *by Vs*, which extends to all charges layd by the King whatsoever they be.

The next Statute is that of 14. Edward 3. cap. 1. The Subjects having then granted to the King a great Subsidie for his businesse, as well on this side as beyond the Seas, they feared this might bee brought into example, Whereupon the KING grants *It shall not, Nor that they bee from henceforth grieved to make any ayde or charge, if it bee not by common consent in Parliament.*

This Act is generall, and extends to all charges to whatsoever purpose imposed.

Another Statute which Wee shall observe, is that of 1. R. 3. Cap. 2. Which recites, That *the Commons by an unlawfull invention had bene put to great charges, and especially by a new Imposition, called a Benevolence*, and sets downe the mischiefs following it; and then Enacts, That *the Subjects bee no way charged by any such charge, Exaction, or Imposition, called a Benevolence, or by any such like charge*. The words are generall, and include all charges, as well such as are for defence of the Realme, as such as are for the King, the Statute speaking not of charges to the KING, but of *Exactions, Charges, and Benevolences*, which men pay against their wills.

Having now not onely freed the Petition of Right from those objections but (in doing that) cleared the meaning both of the same Petition, and of the old Statutes therein recited, that they were made to free the Subjects from all taxes and charges, although for defence of the Kingdome, because we desire to give full satisfaction to all men in so weighty a matter as this, being of no less consequence then whether there be any *Meum* and *Tuum* between the King and his Subjects; We shall further cleare this our sense of the Petition of Right, that it did intend to take away all charges of what nature soever to be imposed upon the Subjects by the King, although for defence of the Kingdom in time of danger, by authorities beyond all exception.

First by the opinion of the Lords and Commons, at the time of the framing the Petition of Right.

Secondly the opinion of the King, the Lords and Commons, after the Petition passed.

For the first, There was a saving offered to be added to the Petition, before the passing of it, in these words (*We humbly present this Petition to your Majestie, not only With a care of preserving our own liberties, but With a due regard to leave intire the Sovereign power, wherewith your Majestie is trusted, for the protection, safety, and happinesse of your people.*)

This saving was considered of by the Commons, and after a full debate, resolved that it ought to be rejected, and after severall conferences had with the Lords about it, they agreed with them: The reason of which rejection was, for that if it had beene added, it would have made the Petition destructive of it selfe, by admitting that the King by his Sovereigne power, wherewith the Law had intrusted him, for the protection, safety, and happinesse of his people, might impose any Ayde, Tax, Tallage, or charge upon his people, although by his ordinary power he could not do it. And this had left the Subjects in worse case then it found them.

For the second, to wit the judgement of the King, the Lords and Commons, after the Petition passed, There was a Commission questioned in Parliament, called the Commission of *Excise*, dated after the summons to that parliament; It was directed to the 33. *Lords and Privie Counsellours*, and they commanded to raise monies, by *Impositions or otherwise, as they in their Wisdomes should find convenient*: and the causes why monies were to be raised, are expressed, *The safety of the King, Kingdome, and people, the Kings Friends and Allies, which without hazard of all can admit no delay, and the necessity so inevitable, that forme and circumstance must rather be dispenced with then substance lost; The Commissioners must be diligent in the service, as they tender His Majesties Honour, the safety of the Kingdome and People.* In that parliament of 3. *Car.* this Commission was resolved by the Lords and Commons to be against Law, and contrary to the Petition of Right, and upon the Lords desire to His Majesty the same was cancelled in his Majesties presence by His Command, and was brought cancelled to the House of Lords, by the then Lord Keeper, and by them afterwards sent to the Commons.

By all that hath bin sayd , It appears that to defend the Kingdome in time of imminent danger, is no sufficient cause to lay any Tax, or Charge upon the Subjects, without their consent in Parliament.

We will conclude all with the Act made this present Parliament, Intituled, *An Act for declaring unlawfull and voyd the late proceedings concerning Shipmoney, and for the vacating of all Records and processe concerning the same.* This Act recytes, That divers Writts had issued to charge the severall Countiees of this Realme, to provide and furnish Ships for his Majesties service, Processe went out of the Exchequer against John Hampden Esquire, to appear and shew cause why he should not be charged with a Summe of money assessed upon him for that cause, he demur'd, the case was adjourned into the Exchequer Chamber, and the major part of the Judges agreed that Master Hampden should be charged: the mayn ground being (as is recyted in the Act) That when the good and safetie of the Kingdome in generall is concerned, and the whole Kingdom in danger, the King might by Writ under the Great Seale of England, command all the Subjects of this his Kingdom, at their charge, to provide and furnish such number of Ships, with men, Victualls, and Munition, and for such time as the King should thinke fit, for defence of the Kingdom from such danger, and that by Law the King might compell the doing thereof, in case of refusall or refractorinesse; and that the King was sole Judge of the danger, and when and how the same was to be prevented. According to which grounds and reasons, all the Judges of England had been advised with by his Majesties command, who did subscribe an Extrajudiciall opinion to that purpose, which opinion with their names that subscribed it, were inrolled in severall Courts at Westminster, and judgement given against Master Hampden accordingly. But the Charge, Writts, Opinion of Judges and Judgement, are all Enacted to be against the laws and Statutes of this Realm, the Right of Property, the Liberty of the Subject, former Resolutions in Parliament, and the Petition of Right.

And that in reason differs little from this of charging men with arms, onely this seems stronger against the charge, then that of Ship-money. There no money was to come to the Kings purse, but only Ships, Men, Munition, and Victualls to be provided, and yet that is declared to be against the petition of Right, though now men be made beleieve, that this charge with arms is not against that Petition, because the arms are their owne goods that are charged, and no valuable thing comes to the Kings purse by them, but tis for defence onely. And further by that Writ, the Sheriffe was to charge men *secundum statum & facultates*, as in this case the Commissioners are to charge men with armes. There the Refusers to be imprisoned;

ned, so here; the benefit of the service there, was for the defence of the Kingdom, and so also here; and yet declared (as we have sayd) to be against the Laws of the Land, the Right of Property, the Liberty of the Subject, former Resolutions in Parliament, and the Petition of Right.

And to make good that charge of Shipmoney, most of the arguments were used, that are now urged in the Answer to make good this Commission, but they all fayled.

Upon that which hath been sayd in this, and our former Declaration, we doubt not but all indifferent men will be satisfied, that this Commission of Array is full of danger and inconvenience to the Subjects of *England*, and against the fundamentall laws of the Land, both for property of goods and liberty of person.

I. For property. 1. It compells men to lay out their estates for buying of Arms, as many, and as often as the Commissioners please, so their estates are subject to the pleasure of the Commissioners. 2. It inflicts a penalty of forfeiture of the Arms, when men shew not their own, and this done without any proceffe of Law or judiciall proceedings, for which there's no colour of Law, nor one word in the Answer to justifie it, other then the bare Commission it selfe.

II. For liberty of person. 1. This Commission compells the Subjects of what degree or quality soever, to be arrayed, mustered, put into companies of 20 ies, 100ds, 1000ds, to go out of their own Countries, to the Sea-coasts, or elsewhere, and all at the Commissioners pleasure, which is against 1. *E.* 3. 4. *H.* 4. And the Declaration of the Law in the preamble of the Statute for pressing of Souldiers for *Ireland*, made this present Parliament. 2. In that if they obey not the Commissioners preceps, it gives them power to imprison their persons, and that without any legall Tryall, which is against the Statute of *Magna Charta*, and the Statute of 25. *E.* 3. And not a word to defend this in the Answer, although 'tis sayd the whole Commission is legall; and in all these particulars this Commission is against the Petition of Right and the Lawes therein re- cited.

2. As it is against the fundamentall Lawes of the Realme, so no Statute makes it good.

3. As for the granting of it now, It's made use of in an other way then ever any was executed, or intended to be executed by those Commissions in 5. *H.* 4. they having been used to make defence against invasions, and for nothing else: but all men see to what purpose this Commission is now set a foot.

As for the Commission of Lieutenancy, which hath continued so long, and

and to which this is said to be so like, we say that till about 26 *El.* The Commissions to Lord Lieutenants did not very frequently issue, and that those have bin often complained of, and never allowed in any judicall way, but have been upheld, by power rather then by Law: for it had bin ealie to have tryed the Legality of them heretofore, upon defaults at musters, but the defaulters were ever presented to the Lords of the Councell, and there punished, and these Commissions of Lieutenancy have bin often complained of in parliament, but the sodain dissolution of late parliaments hath prevented the finall determination of them.

And for the often issuing of them, in the times of learned Iudges, without exception to them, its no more proof to shew they are Legall, then the frequent presidents from 29. *Eliz.* to 3 *Car.* of issuing Commissions for executing Martiall Law in times of peace will prove that's legality; yet there are more presidents for such Commissions between those times, then all those cyted in the Answer for warranting the Commission of Array.

As for the *Militia*, the reasons why that was set on foot, have been heretofore fully declared; and therefore we shall not repeat what hath been said in that particular, but shall referre to our severall Declarations touching that point.

For the Statute of 11. *H.* 7. It's confessed in the Answer to be nothing materiall to the Commission in Question, neither shall we need to say any thing of it, but referre them that desire to know our sence thereof, to our Declaration made concerning *Hull*, 26. *May*, 1642.

And the Lords and Commons do upon the whole matter here conclude, as they began in their former Declarations touching this subject, that they are very much agrieved, that after so many Declarations, and solemn protestations made by his Majesty, to rule by the known Laws of this Land, His Majesty by advice of ill counsellors, should be perswaded to set such a Commission on foot as this is, which is so clearly contrary to the fundamentall Lawes of this Land, the right of property, and the liberty of the Subject, contrary to former resolutions in Parliament, and to the Petition of Right; And the Lords and Commons do and shall adhere to their former Votes and resolutions, that all those that are actors in the putting of this Commission of Array in Execution shall be esteemed disturbers of the peace of the Kingdome, and the Properties and Liberties of the Subject.

For the Corrigenda at the end of the Answer.

The Lawes of *Edward* the Confessor are there cited, whereof the words

words are, *Debent enim universi liberi homines, secundum feodum suum, & secundum statum suum, arma habere, & illa semper prompta conservare, ad tuitionem Regni, & servitium dominorum suorum, juxta preceptum Domini Regis explend. & peragend.* This was only for such freemen, as by their tenures were to finde arms for the defence of the Kingdom, and for the performance of the service of their Lords, which is onely for their tenures, and so it may be legall.

That of the Conquerors Laws is before answered in the Declaration.

For that of *Hoveden*, it is fol. 350. If all had been set down that that King did at that time concerning Armour and Arms, which the penner of the Answer leaves with an *&c.* Men might better have judged of the legality of that Assize by those other things that are there inserted; and it may as well be proved from that, that those that have Arms may not alien them, nor convey them to any upon any occasion; that Arms shall go to the heire, not to the Executor; that the Guardian shall have them during the heirs minority; that no man shall have more Arms than that assize; that none shall convey arms out of *England*, nor sell any to such as will; that no man shall buy or sell a Ship to go out of *England*, neither convey any tymbber thence: All which are there enjoyned as well as this of arms; and the same authority is for those, as for arms; so that the bare citing of these, will sufficiently refute the supposed legality of the other touching arms; and besides, all this was before the Statute of *Magna Charta*, whereby the Subjects liberties were settled.

For that of King *John* in *Matthew Paris*, fol. 234. the Writ is there to summon *Comites, Barones, Milites, & omnes libe. homines quicunque sint, vel de quocunque teneant, qui Arma habere debent, vel Arma habere possint, & qui homagium nobis, vel ligeantiam fecerunt, quod sicut nos, & seipos, & omnia sua diligunt, sint apud Doveram ad instans clausum Pasche, bene parat. cum equis & armis, & cum toto posse suo ad defendend. caput nostrum, & capita sua, sub pena Culvertagii.* This is onely for men to go with their arms, such as have them; but none are hereby compelled to provide Arms that have them not, that's not materiall to the Commission in question.

Die Jovis, 12. Janu. 1642.

IT is this day Ordered by the Commons in Parliament Assembled, that *Mr. Samuel Brown*, a Member of the House of Commons, be desired to have a care of the printing of a book Intituled, *A second Remonstrance, or Declaration of the Lords and Commons*, concerning the Commission of Array, &c. and that none presume to print it, but such as the sayd Master *Samuel Brown* shall appoint.

H. Elsing. Cler. Parl. D. Com.

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Two Ordinances of the Lords and Commons assembled in Parliament, For the Assessing all men of ability, within the Counties of Northampton, Leicester, Derby, Rutland, Nottingham, Huntingdon, Bedford, and Buckingham, that have not contributed upon the Propositions of both Houses of Parliament; and they to be rated and assessed in like sort as was the 400000. l. by an Act of this present

PARLIAMENT.

THe Lords and Commons now in parliament assembled, being certainly informed that papists and other wicked and ill-affected persons, have trayterously combined together, and entered into association, and have raised, and dayly do raise great Forces both of horse and foot in severall Counties of this Kingdom, and have plundered, spoiled, and destroyed multitudes of his Majesties good Subjects, and if not timely prevented, will utterly subvert and destroy the true protestant Religion, which is their chief designe, the Laws of the Land, the priviledges of parliament, and the liberty of the Subject.

The sayd Lords and Commons having formerly declared, that they held it fit, and necessary for the Counties of *Northampton, Leicester, Derby, Rutland, Nottingham, Huntingdon, Bedford, and Buckingham* to associate for the mutuall defence in pursuance of the same, and for the better preventing of the spoiling and plundering of the sayd Counties, and the parts adjacent, and to have further means for the furnishing of arms and ammunition, making of Fortification, and payment of the Garrisons, Officers and Souldiers, & other necessary charges, that there be forthwith raised in the said severall Counties respectively, and in the Corporations, Constabularies, and parishes thereof, such sums of money as shall necessarily be disbursed and dispended for the uses aforesayd; The same sum to be rated and assessed in like sort, as was the 400000 l. granted by act this present parliament, wherein the persons who have not subscribed to the parliaments late propositions shall be assessed, and their assessments levyed in such sort, as by the Ordinance late made for the City of *London*, and the parts adjacent, such like persons are to be assessed, and their assessments levyed. And for the better levying of the sayd sums of money, The sayd Committee named in the Ordinance of association of the sayd Counties respectively, or any three or more of them, shall or may assess and tax, or cause to be assessed or tax'd the sayd sums upon the sayd severall Counties, and the Corporations, Towns, Constabularies & parishes within the same, in like manner as is aforesayd; and that they or any three or more of them, nominate and appoint Treasurers, Collectors and Assessors in every the sayd counties, for assessing, receiving, and collecting the sayd sums of money,

ney, and shall, and may grant warrants under their hands and Seales in writing to any Constable or other officer whatsoever, to raise and levy the said sums so to be assessed and taxed as aforesayd, upon all such persons upon whom any such sums shall be so assessed and set; that do refuse or neglect to pay the same: It shall and may be lawfull to and for the said Assessors, or any other person to whom Warrants by the Committees respectively shall be granted, to levy the said sums so assessed by way of distresse and sale of the goods of the persons so assessed and refusing: And if any person so distrained shall make resistance, it shall, and may be lawfull to and for the respective Committees to send any of the Trained-bands or other souldiers of the respective Counties aforesayd, to compell the sayd parties so refusing to obedience of this Ordinance. And in case no distresse is or may be found, then the respective Committees aforesayd, or any three or more of them shall or may commit such person and persons refusing to pay as aforesayd, to some common-Goale, there to remaine untill payment made of such sum and sums as aforesayd. For which sums of money so rated and levyed, and expended as aforesayd, the sayd Committees shall be accomptable to both Houses of Parliament, & to none else.

John Brown, Cler. Parliamentorum.

Association for Liecestershire, Derbyshire, &c.

VHereas His Majesty, by the instigation and advice of divers about his Royall person, hath raised Forces against the Parliament, for the most part consisting of Papists, notorious Delinquents, and other malignant persons, and that hereby the well-affected of the Kingdom are ruined in their estates, and divers outrages committed upon their persons; The Lords and Commons in Parliament doe therefore declare, That it is very requisite that the Counties of *Liecester, Derby, Nottingham, Rutland, Northampton, Buckingham, Bedford and Huntingdon* should enter into an association for the mutuall defence and safety of each other, And that *Thomas Lord Gray, Sir Edward Hartop, Sir Arthur Hazelrig Barons, Sir Thomas Hartop, sir Edward Hartop Knights, John Saint-John, William Roberts, Peter Temple, William Farvase, Richard Bent, Thomas Hazelrig, William Danvers, John Goodman, Simon Ridgeley, William Bembridge, Thomas Brudnell, Thomas Babington, Thomas Mervie, Thomas Beaumont, Arthur Stanley, Thomas Cotton, William Hewet, Esquires, Rich. Ludlam, Major of the Town of Liecester, and William Stanley Alderman of the sayd Towne, sir George Gresley, sir John Curson, Knights and Barons, sir John Gell, sir Edward Cole, Barons; sir Edward Leech, sir John Cooke junior, sir Samuell Sleigh, Knights, Thomas Gresley,*

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Francis Burdet, Christopher Horton, Francis Monday, Thomas Cell, Francis Revell, Henry Wigfull, Nathaniel Hallois, Luke Wittington Esquires, of the County of Derby; Francis Perpoint Esquire, Sir Francis Molineux, Sir F. Thornhagh Sir Hardolp Wastneyes, Knights; Jo. Hutchinson, F. Thornhagh, G. Hutchinson, Charls White, Joseph Widmerpoole, Hen. Saint Cheverill, Jo. Millinton, Esq; the Major of the Town and County of Nottingham for the time being, Ja. Chedwicke deputy Recorder, Jo: James, and Will. Drenry, Aldermen of the sayd Town of Nottingham, Thomas Salisbury, Edward Harrington, Robert Horsman, Evers Ermin, Joh: Osborne, Christopher Browne, Samuel Barker, and Robert Horsman junior. Esquires, of the County of Rutland, Sir Peter Temple, Sir William Drake, Sir Joh. Burlace, Sir Will. Andrews, Sir Richard Pigot, Sir Richard Ingoldsby, Sir Henage Proby, Sir Joh. Parsons, Sir Thomas Sanders, Jo: Hampden, Arthur Goodwin, Rich. Winwood, Bolstrode Whitlock, Tho. Tyrill, Edw: Waller, Henry Bolstrode, Rich. Greenville, Edm. West, Richard Sergeant, Esquires, of the County of Buckingham; Edw. Mountague, Will. Fitz-Williams, Esquires, Sir John Driden, Sir Christopher Telverton, Sir Guilbert Pickering, Zouch Tate, Joh. Crew, Esquires, Members of the House of Commons, Sir Rowland Saint-John, Sir Edward Nicholls, Sir John Norwich, Sir Humphrey Orme, Sir Richard Samuel, Richard Knightly of Fausley, Robert Milamay, Joh. Barnard, Edw. Harby, Ed. Onely, Ed. Bagshaw, Jo: Cartwright, Phillip Holman, Samuel Danvers, Rich. Samuel, Edw: Farmer, Joh. Sayer, John Wyrley, Edw. Slingberough, Edw. Hanbury, William Leste, Joh. Blinco, Joh. Clappole, Francis Quarts, and John Norton, Esquire; the Major of the Town of Northampton for the time being, Sir Beuchamp Saint-John, Sir John Burgaine, sir Thomas Alston, sir Oliver Luke, sir Samuel Luke, sir Roger Burgaine, Tho. Rolte, William Duncombe, Beverly, Tho. Sadler, Samuel Brow, Humphrey Monox, Joh. Vaux, Robert Stanton, Esquires, M. Carter of Kempson of the County of Bedford, sir William Armin, sir Tho. Cotton, sir Joh. Hewet, Baronets; Ounsloe Winch, Torrell Ioslein, Jo. Castle, Thomas Templer, Oliver Cromwell, James Ravencroft, Robert Bernard, Esquires, of the County of Huntingdon, shall be a Committee to meet at such times and places as they shall thinke fit, for raising of Men, Horses Armes, Ammunition, upon the propositions formerly agreed on by both Houses of Parliament, or by any other way that they shall judge convenient for the suppressing of the present Rebellion, stirred up by the malignant persons, who desire to subvert the happinesse of this Kingdom, & shall have power to all things necessary thereunto upon all occasions to joyn with any forces raised by authority of Parliament: and that the Lord Grey, son to the Earl of Stanford, having Commission from the E. of Essex;

Lord

Lord Generall, shal command in chief as Major Generall of the forces to be so rais'd, and have power to lead and carry the said forces to such places as he shall think fit; and to subdue, fight with, kill, slay, & imprison all such persons as shal levy war without the consent of both Houses of Parliamēt; And that what mony, horses, arms, or ammunition, shalbe contributed by any person towards this service, shalbe secured to be repayd with interest, after 8l. per cent. by the publick faith of both Houses of Parlia. upon the shewing of an acquittance or certificate under the hands of any four of the said Committee for the receipt of the said monies, or apprisement of the said horses, arms, or ammunition; And the said monies so brought in shalbe issued forth in every of the said Counties, by the appointment of any four of the said Committee of that county where it shall be contributed.

Die Luna, 16. Jan. 1642.

It is this day ordered by the Commons House of Parlia. that the Ordinance for levying of monies, within the counties of Northamp'. Bedford, &c. be printed, together with the Ordinance for Association of the aforesayd Counties.
Hen. Elsyng, Cler. Parl. D. Com.

His Majesties Letter and Declaration to the Sheriffs and City of London.

January, 17. 1642.

TRUSTY and Welbeloved, Wee greet you well. We received lately a Petition from the Aldermen and Common-councill of Our City of London, by the hands of persons intrusted by them for the delivery, who found such a reception from us, as well manifested our regard to that body which sent them; Though we well knew by whom that Petition was framed, and where perused & examined, before it was aprooved by those from whom it seemed to be sent, yet we were so willing to enter into a correspondence with that our City, and to receive any addressē and application from them, according to that invitation we had given by our late proclamation; And were so glad to find that there was yet some hopes they would look to the peace and happinesse of that City, and at last sever themselves from any faction or dependence which might insensibly involve them in those calamities they did not foresee, that we returned such a gracious Answer thereunto, so full of candor and affection, that the meanest Inhabitant of that Our City, if he carefully consider the same, will find himselfe concerned it, and that wee have had an especiall care of his particular. With this Answer of ours wee sent a servant of our owne, in the company of those who had bene so well used here, to require and see that it might be communicated to the whole body of

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that Our City; not doubting but that both it and the Bringer should receive such entertainment there, as might manifest their due regard of Us, and of Our affection to them: But to Our great wonder, we find that after ten dayes Attendance, and suffering ridiculous Pamphlets to be published in Our Name, as if we retracted Our former resolutions, (which Pamphlet We have caused to be burned by the hand of the Hangman, as we also require you to see done) in stead of that admission We expected to Our Messenger and Message, Guards of Armed Men have beene brought to keep Our good subjects, to whom that Our Answer was directed, from being present at the reading thereof; and Speeches have been made by strangers (who have been admitted to the Citie coun-cells, contrary to the Freedome and custome of those meetings,) to blast Our sayd Answer, and to Dishonour and Slander Us, which if Our good subjects there shall suffer, Wee shall be much discouraged in Our desired correspondence with that Our City, and so by the cunning and power of those Incendaries mentioned in Our Answer (*Alderman Pennington*) who to show his great loyalty to Us, and his fittesse to be the chief Magistrate of such a City, being informed that a desperate person there sayd, that *he hoped shortly to wash his hands in Our blood*, refused to send any Warrant, or to give any direction to any Officer for his apprehension (*Ven, Fulke, and Munwaring*) who have plunged that Our City into such unspeakable calamities, in which they would still keep it to cure their owne desperate condition, our good subjects there are not suffered to receive our gracious Answer to that petition; We have therefore thought fit to write these our Letters to you, requiring you the Sheriffs of our sayd City to take care for the publishing that our Answer (which we herewith send you) to our good subjects of that our City; And our pleasure is, That you the Masters and Wardens of the severall Companies of our sayd City, forthwith summon all the members of your severall companies, with all the freemen and apprentices (whose hopes and interests are so much blasted in these generall distractions) belonging thereunto, to appear at your severall Halls, where you shall cause our said answer, together with these our Letters, to be publicly read, that all our good subjects may cleerly understand how far we have bin from begetting, how far we are from continuing or nourishing these unnaturall civil dissentions, and how much it is in their own power to remove the present pressures, and to establish the future happiness and glory of that famous City, and most seriously weigh every part of that our Answer, as well that which carries caution in it for the future, as pardon for what is past, for assure your selves, for the time to come, We shall proceed

proceed with all severity against such who shall incur the penalty of the law in those points, of which we have given the so fair a warning in our said Answer, & whosoever shall not behave himself like a good subject in this our kingdom, shall not, (if we can help it) receive the benefit and advantage of being our subject in any other; but all foreign Princes shall know, that as such person hath parted with his loyalty to Us, so he must not hope for any security by Us, and to that purpose we shall henceforward have a very inquisitive eye upon the actions of all our subjects, that some example may be made, how easie it is for Us to punish their disloyalties abroad, who for a time may avoid our justice at home. And to the end that none of our good subjects of that our City may think themselves bound to obey any of the orders or commands of the pretended Lord Major (whom we have and do still accuse of high Treason, & conspiring to take our life from us) It is well known to those Citizens who understand the Charter of that City (so amply granted by our Royall progenitors, and so gratically confirmed by Us, and of which We presume Our good subjects there do still desire to receive the benefit,) that the sayd *Isaac Pennington* was never regularly elected, or lawfully admitted to be Lord Major of that Our City, that in truth Alderman *Cordwell*, was by the plurality of voices chosen, and that this Man was never presented to, or admitted by Us, in such manner as is prescribed by their sayd Charter, neither had that Judge, who presumed to swear him, any more colour of law or authority to administer such an oath to him, then he hath to do the same to morrow to any other Alderman of the City: And we do therefore hereby declare the sayd *Isaac Pennington* not to be Major of that our City of *London*, and to have no lawfull authority to exercise the same, and that Our good Subjects of that Our City, ought not to submit to any Orders, directions, or commands which shall issue from him as Lord Major of that Our City, but that the same are voyd and of none effect. And we do once more require you the Sheriffs of Our sayd City, and all other the Magistrates of the same, in which all Our good Subjects of that City will assist you, that you cause the said *Isaac Pennington*, *Ven*, *Fulke*, and *Manwaring*, to be apprehended and committed to safe custody, that we may proceed against them as guilty of high Treason, and principall Authors of those Calamities which are now so heavy upon Our poore Subjects of that City, and if not suddenly remedied will in a short time utterly confound a place, and a people lately of so flourishing an estimation in all parts of Christendom. And whereas We are informed that one *Browne* a Woodmonger, *Titchburne* a Linnen-Draper, and one *Harvey* a Silkman, have exercised great insolences and outrages in that Our City, and when many of Our good subjects there, have assembled

sembled together in a peaceable and modest manner, to consult about the peace and welfare of that City, the said mutinous and seditious persons have presumed to lead multitudes of armed men against them, and by such force have beaten, wounded, and killed Our good subjects, Our Will and pleasure is, That if the said *Brown, Titchborn, and Harvey*, or either of them, shall so far neglect Our gracious offer of pardon, as still to engage themselves in those unwarrantable and seditious courses, That you Our Sheriffs of London, raise power to suppress the said force, and that you and all Our Ministers of justice, use your utmost means to apprehend the said persons, and to bring them to condigne punishment. And We do hereby Declare, That it shall be lawfull for any of Our loving subjects, to resist and oppose the said persons, if they shall hereafter, in such a warlike manner, endeavour to molest them, as they would do rebels and traitors: And We hope that all our good subjects of that our much injured City of London, do take notice of our grace and favour towards them, in our so freely passing by and pardoning the offences there committed against Us, as We have offered by our Proclamation and our late Answer; and of our very earnest desire to be with them, and to reside amongst them for their comfort, support, and protection, if they shall, by first providing for their own security, (in such manner as we have directed them in our late Answer) give Us an instance that we may be safe there too: and that they do likewise observe, that being by such violence kept from them, We have done our utmost endeavour to continue and advance the decayed trading of that our City, by permitting and encouraging all resort and traffique thither, and therefore if by the stopping of carriages, and seizing commodities by other men, the commerce and correspondence be broken between that place and our good subjects of other Counties, they will impute that mischief to the true authors of it, and look upon Us only as not able to helpe them. Do but your duties, and this cloud which threatens a present confusion will quickly vanish away, and you will enjoy all the blessings of a happy Nation, to the which no endeavour of Ours shall be wanting.

The humble Advice, Petition, and Reasons, of the Lords and Commons now assembled in Parliament, to His Majesty, Why part of the Terme ought not to be removed to OXFORD.

THE Lords and Commons having taken into their serious consideration a Proclamation, dated at Oxon the 27. of December last, for the adjourning of the Court of Chancery, the Court of Wards and Liveries, the Duchy of Lancaster, the Court of Requests, the Receipt of His Majesties Exchequer, and of the first fruits and tenths, from the City of Westminster

ster unto the city of Oxon; and for the adjourning the Courts of Kings-
 Bench, Common-Pleas, and Exchequer, unto the return *Craft. Purificati-*
onis, found it to tend much to the prejudice of the Common-wealth to re-
 move the said Courts and receipts to Oxon, where the body of an Army
 raised against the Parlia' and the authority therof now resides; and there-
 fore, in performance of their duty and trust reposed in them by the King-
 dom, whom they represent, did exhibite their humble advice and petition
 to His Majesty, with the reasons inducing them thereunto, to revoke the
 said Proclamation, and with all humility desire that the said Courts and
 receipts might be kept at their severall usuall places and times, and not at
 Oxon: But his Majesty giving still more credit to the suggestions of those
 wicked and malignant persons that yet encompass him, then to his high-
 est and most faithfull counsell, returned his negative Answer, and expres-
 ly denied to repeal his Proclamation: Now the Lords and Commons
 clearly discovering the great inconveniencies and mischiefs that necessari-
 ly must happen to his Majesties most faithfull and best affected Subjects, in
 case those courts and receipts be removed to Oxon; where such of them
 as have occasion to attend, cannot with any safety to their persons or es-
 tates repair, his Majesty having in effect declared al persons that have con-
 tributed any thing in aid or defence of the Parlia. and the priviledge ther-
 of, to be guilty of high treason; and in pursuance thereof, by the force &
 power of the army there remaining, have seized upon many of their per-
 sons, where they are detained prisoners, and some proceeded against as
 traitors, having nothing laid to their charge, but their assisting the Parlia.
 and opposing that army raised to destroy it & the kingdom; and finding
 that divers both Judges & others, whose attendance upon the sayd Courts
 & Receipts will be necessary, consists of persons that are Members and as-
 sistants to both Houses of Parlia. whose presence at this time cannot be spa-
 red; and that if the Records necessary to be used in the said courts should
 be removed from the usuall places towards Oxon, in a time when two
 Armies are residing neer thereabouts, it would endanger the miscarriage
 of them, which might ruine many of his Majesties subjects, whose estates
 depend thereupon, and that so long a distance between the said court of
 law and equity, which have necessary dependance one upon another, would
 prove exceeding prejudiciall to many, Thought it their duty, in discharge
 of the trust reposed in them by the common-wealth, as much as in them li-
 eth to prevent the said inconveniencies, And therefore do hereby declare
 & order, that no Judge, Minister, or other person belonging to any of the
 said courts or receipts, shal repair to the said city of Oxon, or do or execute
 any thing belonging to the said offices & imploiments, but in places usual for
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the doing and executing thereof; And that no Member of, or assistant to any of the two Houses of Parliament, that have any place, office, or employment, about any of the sayd Courts or receipts shall presume to depart from their attendance upon the Parliament, without the special leave of that House whereof they are Members or Assistants, And that no person shall remove, or cause to be removed, any Records or Writings of any the sayd Courts or Receipts, to or towards the City of *Oxon*; And the Lords and Commons do declare, that if any person shall disobey this Order, they will proceed against them as wilfull contemnors of the authority of Parliament, and disturbers of the peace of the Kingdom. And it is further declared and ordered by the sayd Lords and Commons, That no Judgement, Decree, Order and proceedings whatsoever, that shall be given, made, or had, by or in any of the sayd Courts or Receipts, out of the usuall places where the sayd Courts and Receipts have been accustomed to be held and kept, shall bind any person that shall or may be concerned therein, without his own voluntary consent. And that the sayd Lords and Commons will by the authority of both Houses of Parliament protect and keep indemnified all Judges, Officers, and other persons from any damage or inconvenience, that may or can happen to them for yeelding obedience to this Ordinance.

Ordered by the Lords and Commons assembled in Parliament, that this Declaration shall be forthwith printed and published.

Io. Brown, Cler. Parliamentorum

A Declaration of the Lords and Commons assembled in Parliament, For the prevention of a most horrid, wicked, and unnaturall designe, pursued by Sir Ralph Hopton and his adherents, Rebels and Traytors, in a Warlike manner in Cornewall, and Devon.

Die Veneris, 27. Januarii, 1642.

VHereas His Majesty by the advice and instigation of a wicked Councill about his person, hath raised forces against the Parliament, and hath actually made war against his great Councill, and his good subjects of the Kingdom, which forces so raised by his Majesty, for the most part are consisting of papists, notorious Delinquents, and other malignant persons, by whom the well-affected of the Kingdom are ruinated in their estates, and divers outrages committed upon their persons; And forasmuch as Sir *Ralph Hopton* and his adherents. Rebels and Traytors, combining together in pursuance of this most horrid, wicked, and unnaturall designe, hath levied divers forces in the County of *Cornwall*, and in a warlike manner already entered into the county of *Devon*, and besieged, robbed, spoiled,

spoyle, Plundered, and Pillaged, divers Townes and places in the said County, and divers Rapes, Murthers, and other Misdemeanours, have acted and committed upon divers of his Majesties good Subjects there, and many of them hath utterly destroyed; And forasmuch as that now ruine and destruction is threatned, not onely by that hellish and accursed Crew, but also by the Welch and other Forces raised by his Majestie, and in his name, to the County of *Somerset* and other the adjacent Counties, the said Counties also being in danger by the invasion of a forraigne Enemy; for prevention whereof, amongst other the said Counties, the well affected and good Subjects in the said County of *Somerset*, for defence of themselves and the Western parts, against all such their Enemies, Rebels and Traytors, having associated themselves, and raised divers Forces both of Horse and Foot, which must be maintained upon the publike charge; the Lords and Commons assembled in Parliament, doe Order, Declare, and Ordaine, that the Receivers for the Subscriptions appointed for the County of *Somerset*, upon the Propositions for raising of Horse, Money, and Plate, for the defence of the King, Kingdome and Parliament, and all Collectors, Subcollectors, and others intrusted, for the levying and receiving of the said collections, and the said Propositions in and for the said County of *Somerset*, shall forthwith pay in all such sum and sums of money, as by them or by any of them hath bin collected and received, and not paid in to the Treasurers in *London*, according to the said Ordinance for the Propositions as aforesaid, unto *Ioh. Ashe Esq.* and *Reg. Hill of Taunton* Gent. Treasurers; hereby appointed to receive the said sums so raised & levied as aforesaid, upon the said Ordinance for subscriptions as aforesaid, to be employed to the uses & purposes limited and appointed by the said Ordinance, for subscriptions upon the said Propositions, and to no other use, intent, or purpose; And that the said monies so subscribed, raised, and gathered as aforesaid, shall not be issued out by the said Treasurers hereby appointed, but by Warrant to them made by the Right Honourable the now Earle of *Stamford*, *Sir Ioh. Herner*, *Sir Tho. Wroth*, *Sir Fr. Popham*, *Alex. Popham*, *Hugh Rogers*, *Chr. Walker*, *Will. Strode*, *Rich. Cole*, *Ioh. Frances*, *Iohn Harrington*, *Ioh. Hippeley*, *James Ashe*, *Ioh. Ashe*, *Ioh. Pike*, *Hen. Stamford*, *Wil. Scaborn*, *Thomas Hippeley*, *Henry Henley*, *Iohn Preston*, *William Long*, or any three or more of them, under their hands and seals, shall limit, appoint, and declare; and that the Warrant or Warrants of the persons aforesayd, or of any three or more of them in manner as aforesayd, for the issuing out of the sayd monyes, together with the Acquittance or Acquittances from the person or persons which shall be appointed by the persons aforesayd, or any three or more of them, for the receipt of the sayd sum or sums of money according to this Ordinance,

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shall

shall be a sufficient discharge to the Treasurers hereby named, for so much as shall be in such acquittance or acquittances, for the issuing out and payment of the said sum or sums of money respectively ; and that the Treasurers shall not at all pay any sum or sums of money to be by them received upon any other direction, warrant, or command whatsoever. And further it is Ordered and Declared, That the sayd Receivers, appointed by vertue of the sayd Ordinance for the propositions, who were thereby required to pay, or cause to be payd the sayd monyes by them received, to the Treasurers in London named in the sayd propositions, for so much of the sayd monyes as they shall pay to the Treasurers hereby nominated and appointed for the County of Somerset as afore sayd, having their or either of their respective acquittance or acquittances, shall be discharged, any Act or thing heretofore made to the contrary notwithstanding.

Provided that this Ordinance shall not extend to impeach or diminish any Order or Ordinance of both Houses of Parliament formerly made, for disposing of any of the sayd monyes, or other Orders made to the Town of *Taunton*, or other place in the sayd County of Somerset, having thereby obtained an allowance for Fortifications out of their own respective subscriptions and contributions upon the sayd propositions.

An Ordinance of both Houses for the Assessing of Malignants in the sayd County of Somerset, and the parts adjacent.

Die Veneris, 27. Januarii, 1642.

VHereas Sir *Ralph Hopton*, and his adherents, Rebels and Traytors, combining together, hath levyed War against the Parliament, and hath in a warlike manner already entred into the County of Devon, and besieged, robbed, spoyled, plundred and pillaged divers Towns and places in the sayd County, and divers cruell and barbarous murders, rapes, and other notorious out-rages hath committed and done in the said County, upon divers of his Majesties good subjects, and many of them hath utterly ruin'd and destroyed; and forasmuch as the like danger and destruction is threatned to the County of *Somerset*, by the said Rebels and Traytors, who have a great party in the said County of *Somerset*, that are persons ill-affected : It is therefore ordered and ordained by the Lords and Commons Assembled in Parliament, and by the authority of the same, that Sir *John Horner*, Sir *Francis Popham*, Sir *Thomas Wroth*, Sir *George Farwell* Knights, *Alexander Popham*, *Hugh Rogers*, *Christopher Walker*, *John Harrington*, *John Hipplesey*, *John Francis*, *Richard Cole*, *William Strole*, *John Pine*, *Henry Henley*, *Iohn Preston*, *Iames Ashe*, *John Ashe*, *Henry Stamford*, *Wil. Seaborne*, *Tho. Hipplesey*, and *Wil. Long*, Esquires, or any

any three or more of them, or any three or more of such honest able and sufficient, as any three or more of the persons afore mentioned shall by their Warrants under the hands nominated and appointed Assessors, shall assess, rate, and charge such person and persons, inhabitants or others, residing and abiding in the said County, as are of ability, and have not contributed to the Propositions, for the raising of Horse, Money, or Plate, for the defence of the King and Parliament, formerly agreed upon by both Houses of Parliament, and other such as have contributed, but not according to their abilities, to pay such sum or sums of money according to their estates, as the said Assessors, or any three of them shall thinke fit and reasonable, so as the same exceed not the twentieth part of their estates; and if any person so assessed shall refuse to pay the money so to be assessed upon him, in such manner, and at such times and places, as by the said Assessors or any three of them shall be required and appointed, it shall be lawfull to and for the said Assessors above named, or any three of them, to grant Warrants to any person or persons under their hands and seales to leavie al and every such sum or sums so assessed, by any way of distress, and sale of the goods of such person or persons so assessed, and refusing, restoring the overplus if any shall be, to him or them that shall be so distrained; and if any person so distrained shall make resistance, it shall be lawfull to, and for the said Assessors above named, or any three of them, by their Warrant to require the Parliament Forces in those parts, and all other his Majesties Officers and good Subjects to be aiding and assisting in the premises, the said sums so assessed and leavied, to be paid unto *John A/be Esquire*, and *Roger Hill of Taunton, Gentleman*, Treasurers; hereby appointed to receive the said sums so to be raised and leavied as aforesaid, and that the money so raised shall not be issued out, but by warrant to the said Treasurers, under the hands of three or more of the said Assessors above named, and such person or persons as shall be notoriously refractory and disobedient in the premises, or have not sufficient to be taken, it shall be lawfull for the Assessors above named, or any two of them by their Warrant under their hands and seales, to commit him or them to some common Goale, there to remaine untill payment be made of such sum or sums of money upon him or them so assessed, or to send them up to the Parliament by ship or otherwise: and for any act or thing done or to be done, according to the tenure of this ordinance, they and every of them before named, and all and every other person or persons by them employed in the execution of this said ordinance, shall be saved harmelesse by authority of both Houses of Parliament.

Die Sab. 28. Jan. 1642. Ordered by the Lords and Commons in Parl. that this Declaration and Ordinance be forthwith printed and published. I. Browne Cler. Parl.

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The

The Copie of the Lord Fairfax his Letter to the Speaker of the House of Peers, and read in both Houses.

SIR,

IT is most necessary that I continue my relation to you, of the state and condition of the affairs in this Country, that they may be made known to both Houses, and provision made for succors to be sent us, which have hitherto come very slowly, though they have made large expressions of their care; we have been long destitute of money to pay the Army, and to supply that want, I have used all possible industry, by taking up money upon Exchange, and by calling upon the Country to supply me for the present upon the publique Faith. The want of money doth so perplex that part of the Army here, as I imagine the House will not expect any considerable matter to be done by us, though God be thanked, the forces I send from hence, and are raised by the Country with other places, are daily acting something to advance the publique service. As in the North-riding where Sir *Hugh Cholmely* hath carried himself very bravely, giving severall defeats to the enemy neer *Malton*: and on Munday the 16 of this month, joyning his forces to Sir *Matthew Baynton*, they fell upon Colonell *Stingsby* at *Gisbrough*, where they defeated him and 600 horse and foot with him, that had done much spoyl in the North-riding: they wounded and took Colonell *Stingsby* himself, with 140 other prisoners; kill'd a great many, and recovered 200 Arms with the place: amongst the prisoners taken by Sir *Hugh Cholmely* at *Malton*, and here at *Gisbrough* it is found, that a great number are Papists, and indeed the strength of the enemies will be found to consist much of Papists, and Popishly affected; the Earl of *Newcastle* granting his Commissions for raising men to Papists for the most part; I have heard of late of Commissions granted to twelve Recusants of these parts, whose names I send inclosed, and it is not to be doubted, he walks the same wayes in other places as well as here, which courses have so advanced Popery as I hear, that in *York* where many Recusants are settled, Masse is ordinarily laid in every street, and such affronts offered to the Protestants and their Ministry, as few dare resort to Church; and in other parts of the Country, I am informed, that for many myles together, the religious Ministry, are all either tied, or imprisoned; which persecutions, if they be not timely repressed, will extirpe or much depreesse the Protestant Religion in these parts. About *Bradford* and *Hellifax*, God hath blessed my sonne and those small forces with good successe against the enemy in severall light skirmishes: and on Monday was seven night, he seized on the Lord *Saviles* house at *Howley*, and put about 100 Musketeers into it; and on Tuesday, I sent Sir *William Fairfax* and his officers with some Arms to raise his Regiment in those parts, and for his convoy, I sent what horse and Dragooners I could spare from hence, directing them to stay with my son to assist him in his design against *Leeds*; and yesternight I received letters from him, wherein he relates to me, that on monday last, he drew his forces out of *Bradford*, and marched to *Leeds*, where Sir *William Savill* commanded in chiefe; my sonne first summoned them by a Trumpet to yield, which being refused, the assault began, wherein his men carried themselves with great resolution, the Town being fortified on all sides, furnished with two brass Sakers, and manned with 1500 souldiers, yet they forced an entry in two hours fight, there being not left on both sides above forty men, but he took foure Colours, 500 prisoners. (of which six are Cominanders) and with the prisoners they took many Arms, the Sakers, and all the Munition they had, which was not much; on our part we lost 13 men, and Captain *Briggs*, and Captain *Lee*, both sore wounded; and I perceive that in this exploit, Sir *William Fairfax*, Sir *Thomas Norcliffe*, and Serje-

ant Major *Forbes*, with the rest of the Commanders, carried themselves very gallantly. The people do observe that Sir *William Savill*, and the chief Commanders on the other side, soon after the fight began, fled by secret wayes towards Pomfrait, and their men after them by degrees; but by the way Serjeant Major *Beaumont* was drowned crossing the River, and Sir *William Savill* very narrowly escaped the like fate. After Leeds was thus wonne, my sonne writes that he intended to have marched to Wakefield, where Sir *George Wentworth* Commanded, but was prevented therein by the enemies tears, who hearing he had taken Leeds, fled all away from Wakefield to Pomfrait, and left the Town, so he hath sent some Forces to invest and keep that place: Thus hath God blessed their endeavours on that side; and now I am told that Captain *Hotham*, and Sir *John Savill* are gone up yesterday with some Forces into those parts, but upon what designe I know not; yesterday morning I had some intelligence that the most part of the forces were marched the day before out of Doncaster, so I have sent my Serjeant Major Generall with fixe Companies of Foot to invest that place, and to leave some Forces to keep it untill more strength come to us out of the Southern Counties, which if it could be hastned hither, might very much advance the Cause and crush their popish Forces before they be supplied by the Queens comming, or their party in Scotland, of which there is some expectation. I desire you will make known to the House, the great extremities that are put upon me, and that a certain course may be setled for supplying us with money for the entertainment of the Army, in such season as our men may be encouraged in the service, and not fall into a way of plundering for want of pay. My son upon the taking of Leeds, though he entred it by force, yet he restrained his Army from pillaging; so I have ordered that the Malignants in lieu of the spoile challenged to be due unto the Souldiers, shall give them a moneths entertainment, which I hope will content both parties. Yesterday intelligence was brought to me, that the Earl of Newcastle hath drawn down all his forces from the South parts of Yorkshire, those onely excepted that keep the Castle at Pomfrait; for yesterday he marched from Sherborne to York, with 36 Colours, 2 Peeeces of Cannon, and 43 other Carriages, the certain cause I do not yet know, but suppose it is to meet the Arms, and Munition comming from Newcastle, or to prepare for the Queens entertainment at York, which is much spoken of. I shall carry a vigilant eye upon his delignes, and endeavour to prevent them so far as can be expected from the Forces under the Command of,

Selby, 25. Janu. 1642.

SIR,

Your most affectionate friend and servant,
FER. FAIRFAX.

I have sent unto Mr. *White*, to be shewed unto you, three papers found with Colonell *Slingby*, when he was taken at Gisbrough, by Sir *Hugh Cholmley*, which may peradventure be thought necessary to be made known to the House, if Sir *Hugh* have not already presented the Transcript to you.

The names of Recusants in these parts to whom the Earl of Newcastle hath granted Commissions to raise Forces.

Mr. Robert Trapps.

Mr. Stephenson of Thornton.

Sir John Middleton.

Sir Walter Vavasor.

Mr. Ander.

Mr. Tindall.

Mr. Bretton.

Sir Philip Hungate.

Mr. Waterson.

Mr. Thwenge.

Captain Sare.

Captain Granger.

Besides those formerly printed by order of the House, and many more here omitted.

The

The Observations of both Houses of Parliament upon the aforesayd Letter.

VVHereas many and fervent Prayers have been sent up to God for his blessings to be powred down upon the endeavours of the Parliament, in maintenance of his own cause and Religion now openly assaulted by Papiſts: And because it is most just and necessary, to observe the return of these Prayers.

That our mouths and hearts, may be as much enlarged in praises, as they have bin in prayers.

The Lords and Commons have thought fit to publish some late good successes, as so many answers from Heaven, which God hath given to the prayers of his servants.

And whereas sundry late Declarations have shewed to the world divers informations and proofs, concerning the raising of a Popish Army with an intention to subvert Gods true Religion professed and by Law established in this Kingdom, and to introduce Popish Idolatry and superstition; That it may appear that what was before an intention, is now matter of fact, and really put in execution; a most certain and true relation is here offered to publique notice and observation wherein it may bee seen, That this Popish Army hath set up the open practice of their abominable Idolatry in York, the second City of this Kingdom, and are grown to that height of insolence, that they terrifie and drive away Protestant Ministers and people, from frequenting their own Churches, and from the practise of their own Religion; wherein they have given a pattern and pledge what they intend to do, and what must be expected from them through the whole Kingdom; The consideration hereof (whereby the most precious things in the world, Gods glory and true worship, and the salvation, and souls of men are brought into danger) ought to excite and stir up (and we are confident it will) the strongest endeavours and most united conjunctions of all Religious and well affected Protestants, and Patriots, to resist and suppress these common enemies of God, Piety, their Countrey, and Common-wealth; for now it plainly appears, that how ever they pretend to defend the Authority, and the Laws, yet their main intention is to establish Popery in this Kingdom; and to extirpate the Protestant Religion, which cannot be done without subversion of the Laws, as the Papiſts have almost effected in Ireland.

Die Lunæ Jan. 30. 1642.

Ordered by the Lords and Commons assembled in Parliament, That this Letter with the observations thereon, shall be forthwith printed and published.

Io. Brown Cler. Parliamentorum.

A Declaration and Ordinance of the Lords and Commons assembled in Parliament; for new Loans and Contributions, as well from the united Provinces, as from England and Wales, for the speedy reliefe of the miserable and distressed estate of the Protestants in the Kingdom of IRELAND.

Die Lunæ 30 Januarij, 1642.

VVHereas, the gasping condition of the Protestants in Ireland is too much manifest, their estates devoured, their lives daily sacrificed, not only to the malice of their and our bloody enemies, the Popish Rebels, but likewise to the more unavoydable executions,

afflictions, starving, cold, and hunger, their sorrows hardly to be equal'd, nor their misery destruction possibly to be prevented, but by the great and undeserved mercy of God, upon some speedy supply of their grievous necessities. In a deep sense and compassion of their sad estate, and not so much doubting the charity of all good Protestants here (which hath been so fully manifested before) as to use many Arguments to invite them to a liberrall Contribution and Loan, for the present relief of those of our own blood and profession, and to hinder the Rebels from being sharers in the execution of those devilish plots, which they and their adherents in England have devised, and too far effected amongst us (who can expect no safety here, if that Kingdom be not preserved unto us, that hath so neer a relation and dependance upon this) and for the more speedy raising, collecting, and disposing of such supply as God shall encline the hearts of his people to afford their brethren in Ireland; which can be no otherwise procured at this time, by reason of the unhappy distempers here.

The Lords and Commons in Parliament, do hereby Order and Declare, That all and every of His Majesties well-affected Subjects of any His Kingdoms and Dominions, and any person or persons of the Dutch Nation, under the Government of the States generall of the united Provinces, That at any time hereafter shall bring in, and disburse any sum or sums of money, to be employed and layd out for the maintenance of the Armie in Ireland against the Rebels, or that shall bring in and deliver any Victuall, Arms, Ammunition, Goods, Wares, or Commodities fit and necessary for the better supply of the sayd Army, to be received and indifferently apprized and valued, by such person and persons as shall be appointed for that purpose by the Committee for the Irish Affaires, made the 30. of September 1642. or any eight of them, those intrusted with this service, and that are hereafter named; That all and every such person and persons shall have the publique Faith of the Parlia. And both Houses of Parlia. do hereby engage the publique Faith of the Kingdom, to satisfie and content, and that such persons shall be satisfi'd & contented for the same, either out of the rebels lands in Ireland forfeited, or that shall be forfeited & confiscate, when it shall please God that Kingdom shall be reduced, in proportions answerable and according to the severall sum and sums of money, in manner and forme aforesaid, to be brought in, and in all respects and things to their best advantage and contentment, as the Adventurers for lands in Ireland, according to the former propositions and severall Acts of Parliament, or any of them, therefore made and enacted this present Session, shall have their lands set out unto them, or otherwise at their election, shall be re-satisfi'd their monyes, and the value of their goods, with interest for the same, after the rate of 8. pounds per centum for so long time as it shall be forborne, to be paid out of the common treasure of this Kingdom; And for the better ordering and managing of this affair, and to the end that such monyes, victualls, arms, ammunition, goods, wares, and commodities thus to be brought in, may onely be employed for the maintenance of the said Army, and not otherwise: The Lords and Commons do hereby nominate, authorize, and appoint, Sir Paul Pnyder, Mr John Kendrick, Mr. William Penneyer, Mr. Maurice Thompson, Mr. Michael Casselee, Mr. Benjamin Goodwyn, to be Treasurers, and to have the receiving of the said money, victuall, arms, ammunition, goods, wares, and commodities, and to nominate, appoint, and employ all such persons under them for the purposes aforesaid, as they shall think fit; and the sayd money, victualls, arms, ammunition, goods, wares, and commodities, to pay and deliver out for the maintenance of the sayd Army in Ireland, and for no other cause whatsoever, and to reward the persons to be employed under them for their service, in such manner as the said Committee, or any eight of them shall from time to time, order, direct, and appoint; and the persons to

be:

be employed under the Treasurers before named; to be rewarded for their service in such a manner and proportion as the sayd Committee, or any eight of them, shall from time to time order and appoint; and the receipts and payments of monyes comming at and issuing out by vertue of this Ordinance, shall be kept in Guild-hall London, by the the sayd Treasurers, and others by them appointed, and that an Acquittance under the hands of any two or more of the sayd Treasurers, shall be a sufficient discharge to any person, paying any summe or summes of money to them, by vertue of this Ordinance; And for the more speedy and better effect of this Ordinance, The Lords and Commons in Parliament have commanded, that the same be forthwith put in Print, and be published and dispersed in every parish in England and Wales, aswell within Liberties as without; And the Parsons, Vicars, or Curats of the sayd Parishes respectively, are hereby required, to read this Ordinance in the severall Parish Churches and Chappels upon the next Lords day, after the same shall be delivered unto them, and to exhort the people to a free and liberall Contribution to so necessary and godly a work as this is. And the Church-wardens, or Overseers for the poore where there are no Church-wardens of the sayd Parishes respectively, are hereby authorized and required, after the reading of this Ordinance as aforesayd, to go from house to house to every the Inhabitants of the said Parishes respectively, and aswell to Collect and gather the free and charitable benevolence of all the Inhabitants thereof, from the best, to the meaner sort of people, that shall be willing to contribute any thing herein, as all and every other sum and sums of money, as also victuall, arms, ammunition, goods, wares, or commodities, that any the sayd Parishioners respectively, shall be willing to lend and disburse, to be re-satisfied for the same, as is herein before expressed: And the sayd Churchwardens and Overseers for the poor, shall cause to be written down in a Schedule thereof indented, as well the name and names of the severall givers as of the lenders, with the severall sum and sums of money which shall be by every of them lent or given; And the said Churchwardens and Overseers for the poor, having subscribed their names at the foot of one part of the said schedule indented, shall deliver that part, together with all such sum and sums of money, victuall, arms, ammunition, goods, wares, and commodities, as shall be given or lent in the said respective parishes, unto such person or persons as shall be therefore employed and intrusted, by order of the said Committee, or any 8. of them, And the said persons so intrusted, shall upon receipt thereof from the sayd Churchwardens and Overseers for the poor, subscribe the other part of the said schedule, to remain with the said Churchwardens or Overseers for the poor, and Parishioners, the producing whereof to the said Lords and Commons in Parlia. or to such person or persons as they shall appoint for the same, being well attested at the time of the subscription, under the hand writing of the Parson, Vicar, or Curate, and foure or more of the principall Inhabitants of the said Parishes respectively, at all and every time and times, then afterwards, shall be an authentique and sufficient ground for all and every such person & persons, their executors, administrators, or assigns, that shall lend any sum or sums of money, or other goods above mentioned, to be employed as aforesaid, to have, demand, and receive the same back again, or such content and satisfaction to be therefore made, and given unto them, as the said Lords and Commons have herein before Declared and undertaken. And the said persons so intrusted for receiving the said money, victuall, arms, ammunition, goods, wares, or commodities in the said severall Parishes, shall with all convenient speed after the receipt thereof, return the same unto the said treasurers herein before named, at the Guild-hall Lond. And the said Committee are hereby directed to appoint a Register, & entries to be made of al & every the said schedule sums of money, & premises

to be thus recovered, whereby the persons sending the same, may be the more justly satisfied, and so remaine upon Record as an Act of great bounty and piety, and much conducing to the safety of all his Majesties Dominions.

Die Luna, 30 Januarii, 1642.

IT is this day Ordered by the Lords and Commons assembled in Parliament, That this Ordinance be forthwith published in Print, and that all Parsons, Vicars, and Curats, in the Kingdom of England, and Dominion of Wales, be required to read this Ordinance in their severall Churches and Chappels respectively, the next Lords day after the receiving of the said Ordinance: And they are likewise required to stir up the people to a large and free Benevolence to our poor Brethren in Ireland, according as it is expressed in this Ordinance.

John Brown, Cler. Parliament.

Hen. Elsing, Cler. Parliament, D.C.

The humble Desires and Propositions of the Lords and Commons in
Parliament, tendred to His Majestie,
February the first, 1642.

WE your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament assembled, having in our thoughts the Glory of God, your Majesties Honour, and the prosperitie of your people, and being most grievously afflicted with the pressing Miseries and calamities which have overwhelmed your two Kingdoms of England and Ireland, since your Majesty bath by the perswasion of evill Counsellours, withdrawn your Self from the Parliament, raised an Army against it, and by force thereof protected Delinquents from the Justice of it; constraining us to take Arms for The Defence of Our Religion, Lawes, Liberties, Priviledges of Parliament, and for the sitting of the Parliament in safety; which Fears and Dangers are continued and increased by the Raising, Drawing together, and Arming of great numbers of Papists under the command of the Earle of Newcastle: likewise by making the Lord Herbert of Ragland, and other knowne Papists, Commanders of great Forces, whereby many grievous Oppressions, Rapines, and cruelties have been, and are daily exercised upon the Persons and Estates of your People; much innocent blood hath bin spilt, and the Papists have attained means of attempting, with hopes of effecting, their mischievous Designe of rooting out the Reformed Religion, and destroying the Professors thereof. In the consideration and compassion of these Evils, under which your People and Kingdom lie (according to the Duty which we owe to God, your Majesty, and the Kingdom for which we are trusted) doe most earnestly desire, That an end may be put

to these great Distempers and Distractions, for the preventing of that Desolation which doth threaten all your Majesties Dominions; And as wee have rendered, and still are ready to render to your Majesty that Subjection, Obedience and Service which wee owe unto you, so wee must humbly beseech your Majesty to remove the causes of this War; and to vouchsafe us that Peace and Protection which wee and our Ancestours have formerly enjoyed under your Majesty and your Royall Predecessors, and graciously to accept and grant these our most humble Desires and Propositions.

- 1 **T**hat your Majesty will be pleased to disband your Armies, as we likewise shall be ready to disband all those Forces which wee have raised, and that you will be pleased to return to your Parliament.
- 2 That you will leave Delinquents to a Legall triall, and judgment of Parliament.
- 3 That the Papists may not only be disbanded, but disarmed according to Law.
- 4 That your Majesty will be pleased to give your Royall Assent unto the Bill for taking away superstitious Innovations: To the Bill for the utter abolishing and taking away of all Archbishops, Bishops, their Chancellours and Commissaries, Deans Sub-deans, Deans, and Chapters, Arch-deacons, Canons, and Prebendaries, and all Chaunters, Chancellors, Treasurers, Sub-treasurers, Succentors, and Sacrists, and all Vicars Chorall, and Choristers, old Vicars and new Vicars of any Cathedrall or Collegiate Church, and all other their under-Officers out of the Church of *England*: To the Bill against scandalous Ministers: To the Bill against Pluralities: And to the Bill for consultation to be had with Godly, Religious, and Learned Divines. That your Majesty will be pleased to promise to passe such other good Bills for settling of Church-government as upon consultation with the Assembly of the said Divines shall be resolved on by both Houses of Parliament, and by them be presented to your Majesty.
- 5 That your Majesty having exprest in your Answer to the nineteen Propositions of both Houses of Parliament, an hearty Affection and Intention for the rooting out of Popery out of this Kingdome, and that if both the Houses of Parliament can yet find a more effectuall course to disable Jesuits, Priests, and Popish Recusants from disturbing the State, or deluding the Laws, that you would willingly give your consent unto it; That you would be graciously pleased for the better discovery and speedier conviction of Recusants; that an Oath may be established by Act of Parliament, to be administred in such manner as by both Houses shall be agreed on, wherein they shall abjure and renounce the Popes Supremacy, the doctrine of Transubstantiation, Purgatory,

Worshipping of the consecrated Host, Crucifixes and Images,; and the refusing the said Oath, being tendred in such manner as shall be appointed by Act of Parliament, shall be a sufficient conviction in Law of Recusancy. And that your Majesty will be graciously pleased to give your Royall Assent unto a Bill for the Education of the children of Papists by Protestants in the Protestant Religion. That for the more effectuall execution of the Laws against Popish Recusants, Your Majesty would be pleased to consent to a Bill for the true leaving of the Penalties against them, and that the same Penalties may be leaved and disposed of in such manner as both Houses of Parliament shal agree on, so as your Majesty be at no losse: And likewise to a Bill, whereby the practice of Papists against the State may be prevented, and the Law against them duly executed.

6 That the Earle of *Bristol* may be removed from your Majesties Counsels, and that both he and the Lord *Herbert*, eldest son to the Earl of *Worcester*, may likewise be restrained from coming within the Verge of the Court; and that they may not bear any Office, or have any Employments concerning State or Common-wealth.

7 That your Majesty will be graciously pleased by Act of Parliament to settle the *Militia* both by Sea and Land, and for the Forts and Ports of the Kingdom in such a manner as shall be agreed on by both Houses.

8 That your Majesty will be pleased by your Letters Patents, to make Sir *John Brampton* chief Justice of your Court of Kings Bench, *William Lamball* Esquire, the now Speaker of the Commons House, Master of the Rolls; and to continue the Lord chief Justice *Banks* chief Justice of the Court of Common-Pleas, and likewise to make M. Serjeant *Wilde* chief Baron of your Court of Exchequer, and that M. Justice *Bacon* may be continued, & M. Serjeant *Rolls*, & M. Serjeant *Atkins* made Justices of the Kings Bench; That Master Justice *Reeves* and Master Justice *Foster* may be continued, and Master Serjeant *Pheasant* made one of the Justices of your Court of Common-Pleas; That Master Serjeant *Creswell*, Master *Samuel Brown*, and Master *John Puleston* may be Barons of the Exchequer; And that all these, and all the Judges of the same Courts for the time to come, may hold their places by Letters Patents under the great Seal *Quam diu se bene gesserint*; And that the severall persons not before named, that do hold any of these places before-mentioned, may be removed.

9 That all such persons as have been put out of the Commissions of Peace, or Oyer and Terminer, or from being *Custodes Rotulorum*, since the first day of April, 1642. (other then such as were put out by desire of both or either of the Houses of Parliament) may again be put into those Commissions and Offices, and that such persons may be put out of those Commissions and Offices as shall be excepted against by both Houses of Parliament.

10 That your Majesty will be pleased to passe the Bill now presented to your Majesty, to vindicate and secure the priviledges of Parliament from the ill consequence of the late President in the Charge and proceeding against the Lord *Kumbulton*, now Earl of *Manchester*, and the five Members of the House of Commons.

11 That your Majesties Royall Assent may be given unto such Acts as shall be advised by both Houses of Parliament for the satisfying and paying the Debts and Damages, wherein the two Houses of Parliament have engaged the publick Faith of the Kingdom.

12 That your Majestie will be pleased, according to a gracious Answer heretofore received from you, to enter into a more strict Alliance with the States of the United Provinces, and other Neighbour Princes and States of the Protestant Religion, for the defence and maintenance thereof against all Designs and Attempts of the Popish and Jesuiticall Faction to subvert and suppress it, whereby your Subjects may hope to be free from the mischiefs, which this Kingdom hath endured through the power which some of that Party have had in your Councils, and will be much encouraged in a Parliamentary way for your aid and assistance, in restoring your Royall Sister, and the Prince Elector to those Dignities and Dominions which belong unto them, and the relieving the other Protestant Princes who have suffered in the same cause.

13 That in the generall Pardon which your Majestie hath been pleased to offer to your Subjects, all offences and misdemeanours committed before the tenth of *January* 1641, which have been or shall be questioned or proceeded against in Parliament upon complaint in the House of Commons before the tenth of *January* 1643, shall be excepted (which offences and misdemeanours shall nevertheless be taken and adjudged to be fully discharged against all other inferior Courts) That likewise there shall be an Exception of all offences committed by any person or persons which hath or have had any hand or practice in the Rebellion of *Ireland* which hath or have given any counsell, assistance or encouragement to the Rebels there, for the maintenance of that Rebellion, as likewise Exception of *William Earle of Newcastle*, and *George Lord Digby*.

14 That your Majestie will be pleased to restore such Members of either House of Parliament to their severall places of services and employment, out of which they have been put since the beginning of this Parliament; That they may receive satisfaction and reparation for those places, and for the Profits which they have lost by such Removals, upon the Petition of both Houses of Parliament; And that all others may be restored to their Offices and Employments who have bin put out of the same upon any displeasure conceived against them for any assistance given to both Houses of Parliament, or obeying their

Commands, or forbearing to leave their Attendance upon the Parliament without licence, or for any other occasion arising from these unhappy differences betwixt Your Majestie and both Houses of parliament, upon the like Petition of both Houses.

THese things being granted and performed, as it hath alwayes been our hearty prayer, so shall wee be enabled to make it our hopefull endeavour, that Your Majestie and Your People may enjoy the blessings of Peace, Truth and Justice; The Royalty and Greatnesse of Your Throne may be supported by the Loyall and Bountifull affections of Your People, Their Liberties and Priviledges maintained by Your Majesties Protection and Justice, and this Publicke Honour and Happinesse of Your Majestie and all your Dominions communicated to other Churches, and States of Your Alliance, and derived to Your Royall Posterity, and the future generations in this Kingdome for ever.

*His Majesties Answer to the Desires and Propositions of
both Houses, February 3. 1642.*

If His Majestie had not given up all the Faculties of his soul to an earnest endeavour of a Peace and Reconciliation with His People, or if he would suffer Himself by any provocation to be drawn to a sharpnesse of Language, at a time when there seems somewhat like an overture of Accommodation, He could not but resent the heavie Charges upon Him in the Preamble of these Propositions, and would not suffer Himself to be reproached with protecting of Delinquents by force from Justice, (His Majesties desire having alwayes been, that all men should be tried by the known law, and having been refused it) With raising an Armie against His Parliament; And to be told that Arms have been taken up against Him, for the defence of Religion, laws, liberties, Priviledges of Parliament, and for the sitting of the Parliament in safetie, With many other particulars in that Preamble, so often and so fully Answered by His Majestie, without remembering the World of the time and circumstances of raising those Arms against Him: When His Majestie was so far from being in a condition to invade other mens Rights, that he was not able to maintain and defend His own from Violence; And without telling His good Subjects that their Religion (the true Protestant Religion, in which His Majestie was born, hath faithfully lived, and to which he will die a willing sacrifice) their Lawes, Liberties, Priviledges and safetie of Parliament were so amply sealed and established, or offered to be so by His Majestie before any Army was raised against Him, and long before any raised by Him.

Him for His defence, that if nothing had been desired but that Peace and Protection which His Subjects and their Ancestors had in the best times enjoyed under His Majestie, or his Royall predecessors, this Misunderstanding and Distance between His Majestie and His people, and this generall misery and distraction upon the face of the whole Kingdom, had not been now the Discourse of Christendom : But His Majestie will forbear any expressions of bitterness, or of a sense of His own sufferings, that if it be possible the memory thereof may be lost to the World ; And therefore, though many of the propositions presented to His Majestie by both Houses appear to him very derogatory from, and destructive to His just power and prerogative, and no way beneficiall to His Subjects, few of them being already due to them by the Laws established ; (And how unparliamentary it is by Arms to require new Laws, all the World may judge) yet (because these may be waved or mollified, and many things that are now dark and doubtfull in them cleared and explained upon debate) His Majestie is pleased (such is His sense of the miseries this Kingdom suffers by this unnaturall Warre, and His earnest desire to remove them by an happy peace) that a speedy time and place be agreed upon for the meeting of such persons as His Majestie and both Houses shall appoint, to discuss these propositions, and such others here following, as His Majestie doth propose to them.

1. **T**hat his Majesties owne Revenue, Magazine, Townes, Forts, and Ships, which have been taken or kept from Him by force, be forthwith restored unto Him.

2. That whatsoever hath been done or published contrary to the knowne Lawes of the Land, or derogatory to His Majesties Legall and known Power and Rights be renounced and recalled, that no seed may remain for the like to spring out of for the future.

3. That whatsoever illegall Power hath been claimed and exercised, by, or over His Subjects, as Imprisoning their Persons without Law, Stopping their *Habeas Corpusses*, and Imposing upon their estates without Act of Parliament, &c. Either by both or either House, or any Committee of both or either, or by any Persons appointed by any of them be disclaimed, and all such Persons so committed forthwith discharged.

4. That as His Majestie will readily consent (having done so heretofore) to the execution of all Laws already made, and to any good Acts to be made for the suppressing of Popery, and for the firm settling of the Protestant Religion now established by Law ; So He desires that a good Bill may be framed for the better preserving the Booke of Common-Prayer from the Scorne and Violence of Brownists, Anabaptists, and other Sectaries, with such Clauses for
the

the ease of tender Consciences as His Majestie hath formerly offered.

5. That all such persons as upon the Treaty shall be excepted out of the Generall Pardon shall be tried *Per Pares*, according to the usuall course and known Laws of the Land, and that it be left to that, either to acquit or condemne them.

6. And to the intent this Treaty may not suffer interruption by any intervening accidents, that a cessation of Armes and free trade for all His Majesties Subjects may be first agreed upon.

THis offer and desire of His Majestie He Hopes will be so cheerfully entertained, that a speedy and blessed Peace may bee accomplished. If it shall be rejected, or by insisting upon unreasonable Circumstances bee made impossible (which he hopes God in His mercy to this Nation will not suffer) the guilt of the Blood which will be shed, and the desolation which must follow, will lie upon the heads of the Refusers. However His Majestie is resolved, through what Accidents soever he shall be compelled to recover his Rights, and with what prosperous successe soever it shall please God to blesse Him, that by His earnest constant Endeavours to propagate and promote the true Protestant Religion, and by his governing according to the knowne Laws of the Land, and upholding the just Priviledges of Parliament, according to His frequent Protestations made before Almighty God, which He will alwayes inviolably observe, the world shall see that He hath undergone all these difficulties and hazards for the Defence and maintenance of those; The zealous preservation of which, His Majestie well knowes is the onely foundation and meanes for the true Happinesse of Him and His people.

FINIS.

*A Declaration of the Lords and Commons Assembled in Parliament;
For the Vindication of Ferdinando Lord Fairfax.*

VHereas Henry Earle of Cumberland, and William Earle of Newcastle, have not only traiterously rayfed War against the Parliament, but likewise the said Earle of Newcastle, out of a wicked Designe to suppress the Protestant Religion, and to advance the Popish Idolatry and Superstition, hath rayfed and Armed a great number of Papiſts; And having brought them together in the body of an Armie, is become their head and Captaine Generall, And further in pursuance of that wicked Designe, and for the terrifying and destroying of those, who out of conscience and dutie to God and the Kingdome, should oppose them in the execution thereof, they have

have by severall Proclamations, that is to say, by one bearing Date the first of December last, under the name of the said Earle of *Cumberland*, and another Dated the seventeenth of *January* last, under the name of the said Earle of *Newcastle*, Falisly, Maliciously, and Trayterously published *Ferdinando* Lord *Fairefax*, Sir *Thomas Fairefax* Knight, Sir *Edward Loftus* Knight, Sir *Matthew Boinston* Knight and Baronet, Sir *Henry Fowles*, and Sir *Thomas Malleverer* Baronets, Sir *Richard Darley*, Sir *Christopher Wray*, Sir *Henry Anderson*, Sir *John Savile*, Sir *Edward Rodes*, Sir *Hugh Cholmley*, Sir *Thomas Remington*, Sir *Thomas Norchisse* Knights, *John Hotbam*, *Thomas Haucher*, *William Lister*, *John Legard*, of *Malton*, *John Dodsworth*, *John Wastell*, *John Peirse*, Esquiers, *William White*, *John Robinson*, *Arthur Beckwith*, *Thomas Robinson*, and *Thomas Stackdell* Gent. and divers others, and all their Adherents to be Traytors. The Lords and Commons now assembled in Parliament doe hereby Declare, that the said *Ferdinando* Lord *Fairefax*, is by them or by Authority derived from them, appoynted Captaine Generall of the Forces rayled, and to be rayled for the defence of Religion, the Libertie of the Kingdome, and of the Parliament; And whatsoever he or any of the persons aforesnamed or any under him or them, have done by vertue of that Authority, they have done lawfully and according to that duty which all good Subjects owe to God, the King, and their Country, And that they shall for their so doing, be maintained by the power and Authority of Parliament; And they doe further Authorize and require the said *Ferdinando L. Fairefax*, the said persons aforesnamed, and all others to continue and proceed in this so necessary and acceptable a Service: And that all meanes may be used for the suppressing that Army of Papists, and persons Popishly affected, now under the command of the said Earle of *Newcastle*, which evidently threatens Ruine and Desolation to our Religion, Lawes and Liberties, and will (if not prevented) make us undergoe those Cruelties, Rapines, Spoylings, and Murderings, that our Brethren of *Ireland*, have suffered by the Popish Rebels there, which we must also expect from these if they be not timely and powerfully resisted; The said Lords and Commons doe further Declare the said *Henry* Earle of *Cumberland*, and *William* Earle of *Newcastle*, and all that shall assist them or either of them in their persons, or with Armes, Money, Provision, or otherwise howsoever to be guilty of High Treason, for raising Armes against the Parliament and Kingdome; And that the said Earle of *Newcastle*, having made himselfe head of a Popish party now in Armes, hath thereby after a more horrid and detestible manner, manifested himselfe to be a Traytor and an Enemy to all true Religion and goodnesse? And therefore the said Lords and Commons doe further require and command, all persons of what Estate, degree, or quality, whatsoever they be, as they tender the good and prosperity of the true Protestant Religion by Law established, and

and preservation of themselves, their laws and liberties, and as they will answer it before Almighty God, that they do forthwith wholly and absolutely withdraw themselves from giving any Ayde or Assistance to the said Earle of Newcastle, or any of the Forces rayled by him or under his command, and that they faile not to give all ready and chearefull obedience, and assistance to the command and Authority of the said lord *Fairefax*, so much conducing to the preservation of Religion, and to the peace of the county of *Yorke*, and Weale of the whole Kingdom, whereunto, the Lords and Commons are confident, that all persons which are, or desire to be accounted true Protestants and rightly affected to Gods true Religion, the peace of the Kingdome, and the Liberty of the Subject will (to their utmost endeavours) willingly and resolutely submit, conformance, and apply themselves.

Die Veneris 3, Febr. 1642.

Ordered by the Lords and Commons Assembled in Parliament, That this Declaration be forth-with Printed and published.

John Brown Cler. Parliament.

FINIS.

An Ordinance for the better raising and levying of Mariners, Saylor, and others for the present guarding of the Seas, and necessary defence of the Realm, and other his Majesties Dominions.

W Hereas it hath been thought fit by both Houses of Parliament to appoint great Fleets this yeer to be prepared for service, with all possible expedition for the guarding the Narrow Seas, preservation of Trade, and for the necessary defence of this Kingdome, and other his Majesties Dominions, which at this time is of more necessity then ever, considering not only the home-bred distractions of this Kingdom, and of *Ireland*; But the great preparations which are marching already in Forreigne parts, in aid and encouragement of the Papists, and il-affected party amongst our selves, now up in Arms against the Parliament: And whereas the said Fleets now in preparation to be set forth, cannot timely enough be expedited unlesse the same be furnished with fit, and sufficient men for that service. Be it therefore ordained by the Lords and Commons in this present Parliament assembled, that the Committees of the Admiralty appointed by both Houses or any three of them shall, and may, at any time or times, between the first of *February 1643*, to the last of *December* next coming, by themselves, their Commissioner, or Commissioners, or their Officer, or Officers, or any of them, shall raise, levy,

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and

and impresse such, and so many Mariners, Sailors, Watermen, Chirurgions, Gunners, Caukers, Ship-carpenters, and Whoymen as also Carmen for the said carriage of Viſtuals as shall be requisite, and necessary for this present expedition, or for any such further defence of this Realm or any other of his Majesties Dominions; which said Mariners, Sailors, and other such persons so to be levied, and impressed as aforesaid, and every of them shall have payed and delivered unto him upon such his impressing by the person that shall so impresse him, for conduct money for every mile from the place where he shall be so impressed, to the Ship or place where he shall be appointed to make his repair, the Sum of one penny, and the like Sum of one peny for every mile from the place of his discharge unto the place of his aboard, and shall be allowed for this service, the best wages and entertainment which have, or hath bin allowed by his Majesty to any such person or persons respectively at any time within three yeers last past; And to the end that the common Sea-men may be the better encouraged, with alacrity and cheerfulness to undertake this service; Be it further ordained that an addition of wages be allowed from fifteene shillings *per menssem* unto nineteen shillings *per menssem* to every common Sea-man, as also unto such Watermen as have bin already at Sea in his Majesties Ships or others, and can do their labours as Sea-men and not otherwise; And if any Mariner, Sailer, Waterman, Chirurgion, Gunner, Ship-carpenter, Cauker, Whoymen, or Carman shall wilfully refuse to be impressed in or for the said service, or shall voluntarily hide & absent himself at the time of such presse to avoid the said service, or receiving his said conduct monys do not appear at such places and times as by his Ticket he is appointed, That then any such person so offending shall suffer imprisonment by the space of three moneths without bail or mainprize. Provided always, and be it ordained, that no Money or other reward shall be taken, or any corrupt practice used by any the persons authorised by this Ordinance, in or for the pressing, changing, sparing or discharging of any person or persons to be impressed as aforesaid as they wil answer such offence in Parliament; And all Deputy Lieutenants, Majors, Bailiffs, Constables, and all other inferiour Officers, are hereby required and enjoyned to be Aiding and Assisting, from time to time the persons Authorized by this Ordinance, according to the true intent and meaning thereof. Provided, always that this Ordinance shall not extend, to the pressing of any Master or Masters-mate, Gunner, Carpenter, or Boatswain, of any Ship or Veffell that is or shall be in employment.

Die Veneris, 3 Februar. 1642.

Ordered by the Lords and Commons Assembled in Parliament, that this Ordinance shall be forthwith Printed and Published.

John Brown Cleric. Parl.

An

An Ordinance of the Lords and Commons Asssembled in Parliament, Exhorting all his Majesties good subjects in the Kingdome of England, and Dominion of Wales, to the duty of Repentance, (as the only remedy for their present Calamities) with an earnest Confession, and deepe Humiliation for all particular and Nationall Sins, that so at length we may obtain a firme and happy Peace both with God and Man.

That flourishing Kingdomes have bin ruin'd by Impenitent going on in a course of *Sinning*, the sacred story doth plainly tell us; and how neere to such a Ruine our sinfull Nation now is, the present lamentable Face of it doth too apparently shew. And though wee should feele the heavy strokes of God, yet seven times more. It is our duty to accept the punishment of our Iniquity, and to say, *Righteous art thou O Lord, and just are thy judgements.*

Yet because the Lord who is just, is also Mercifull, and in his infinite Mercy hath left the excellent and successfull remedy of Repentance to Nations brought neere to the Gates of Destruction and despaire, O let not *England* be negligent in the application of it. Humble Addresses of a penitent People to a Mercifull God have prevailed with Him. They prevailed for *Nineveh* when the sentence seemed to be gon out against her, and may also prevaile for *England*.

It is therefore thought most necessary by the Lords and Commons in Parliament, That all his Majesties Subjects in this Kingdome of *England*, be excited and stirred up, speedily to lay hold upon this onely and unfailing Remedy of Repentance; freely acknowledging, and heartily bewailing even with deepest humiliation, godly sorrow, and detestation, secretly and in Families, but especially publikely in Congregations, both their owne personall sins, and chiefly those Sins that are and have bin the sins of this Nation: A confession of Nationall Sins being most agreeable to the Nationall Iudgements, under which the Land Groanes, and most likely to be effectuell for the removing of them.

Neither ought this confession to be sleight or light when there is so heavy a weight of Sins, infinite in number, and hainous in nature, that lyes upon this Nation. Such are the high Contempt of Gods holy Ordinances, and of Holinesse it selfe: Grosse and affected Ignorance, under the glorious light of the Gospell clearly shining among us; unfruitfulnesse under the precious meanes of Grace, Ingratitude for Mercies, Incorrigiblenes under Iudgments, multitudes of Oathes, and Blasphemies, wicked Prophanations of the Lords Day, by Sports and Gamings, formerly encouraged even by Authoritie; All sorts of uncleannesse; Luxury, and Excesse in Eating and Drinking; Vanity,

Pride, and Prodigality in Apparell; Envy, Contention, and unnaturall Divisions; Oppression, Fraud, and Violence. From diverse of which Sins, and many other, not one Person throughout the whole Nation, can say that he is wholly free; but all must confesse that they have contributed toward the Great Stock of Nationall Sins; And so have increased the Treasure of Wrath, against these dayes of Wrath; and therefore since according to the Language of the Holy Ghost, we are a sinfull Nation, a People laden with Iniquity, and that from the sole of the Foot, to the Head, there is no soundnesse in vs, wee may justly expect the desolations that are denounced against so great and generall a corruption.

And as it is our duty to humble our selves, and to give glory to God, the searcher of all Hearts, by confessing all Sinnes: So ought we to be affected and humbled with deepest sence of sorrow, for those most crying Sins, which now we find, by too sad Experience, to have a more immediate Influence upon the Destruction of a Kingdome; some of which are Idolatry and Bloodshed.

That of Idolatry, as it was the Sin of our Ancestors, so it is the spreading Sin of these latter times, while by a generall connivence, and almost Tolleration, it hath beene severall wayes Fomented and encouraged: The grievous Effects wherof this Kingdome of *England* now begins to feelee, from Multitudes of Armed Papists and their Abettors; and the Kingdom of *Ireland* far more heavily hath felt, being brought almost to utter Ruine, by the Intestine Warres of Romish Idolaters.

And for that other crying and cruell Sin of Bloodshed, that calls aloud for Vengeance (besides many Murders not expiated, and the blood-guilty pardoned) did it not goe hand in hand with that abominable Idoll of the Masse, in the dayes of Queene *Mary*, and some of her Predecessors, when many Hundreds of the deare Martyrs and Saints of God lost their Precious Lives in Flames and Prisons? And though severall Acts by which that Innocent blood was shed, have beene repealed by Parliament: yet to this very day, was never ordained such a solemne Publique and Nationall acknowledgment of this Sin, as might appease the wrath of that Jealous God, against whom, and against whole People, with so high a hand it was committed.

Now that all the Sin and Misery of this Polluted and Afflicted Nation may be bitterly sorrowed for, with such griefe of heart, and preparednesse for a thorow Reformation, as God may be pleased graciously to accept: it is required and Ordained by the Lords. and Commons in Parliament, That every Minister and preacher of Gods Word, in the Kingdom of *England* and Dominion of *Wales*, in their severall Auditories and Congregations, especially upon the Fast dayes, shall most earnestly perswade and Inculcate the constant practice of this publique acknowledgement and deepe humiliation, for these, and all our
Nationall

Nationall and crying Sins, and likewise the necessity of a Personall and Nationall Reformation, and shall publish this Ordinance concerning the same: That so at length we may obtaine a Firme and happy Peace both with God and Man, That Glory may dwell in our Land, and the prosperity of the Gospell with all the Priviledges accompanying it, may Crowne this Nation unto all succeeding Ages.

Die Mercurii, 15. Feb. 1642.

Ordered by the Lords and Commons Assembled in Parliament, that this Ordinance shall bee forthwith Printed and published, and read in all Parish Churches and Chappels throughout the Kingdome of England, and Dominion of Wales, by the Parsons, Vicars, and Curates of the same.

John Brown, Cler. Parl.

By the King.

His Majesties Proclamation forbidding all His loving Subjects of the Counties of Kent, Surry, Suffex, and Hampshire, to raise any Forces without His Majesties consent, or to enter into any Association or Protestation for the assistance of the Rebellion against his Majestie.

VV Hecras Wee have been informed of certaine Propositions agreed upon by some seditious Persons of Our severall Counties of Kent, Surry, Suffex, and Hampshire, for an Association betwixt the said Counties, to raise an Army of 3000 Foot, and 300 Horse, and great summes of money for the maintenance ther: of, and an invitation to Our good Subjects of that County, to enter into a Protestation to assist them in this odious and unnaturall Rebellion; Wee doe hereby Declare for the satisfaction of all Our loving Subjects of those Counties, and that they may not be seduced from their Obedience by the cunning and subtilty of those men, That the entry into such an Association and Protestation, and raising of men or contributing money upon the same is an Act of high Treason, and an endeavour to take away Our life from Us: And Wee doe therefore straitly Charge and Command all Our loving Subjects whatsoever upon their Allegiance not to enter into any such Association or Protestation, and such, as by colour of such Authority have assembled together, that they immediately disband and repaire to their houses. And Wee do once more renew Our offer of a free and gracious Pardon to all Our Subjects of Our said foure severall Counties, excepting those whom Wee before excepted in Our severall Proclamations concerning those Our Counties against all which Wee shall proceed according to the Rules of the Law, as against Persons guilty of high Treason; And whom Wee doe hereby require all Our Officers and Ministers of Justice and all Our loving Subjects whatsoever, to apprehend and cause to be kept in safe custody. And Our expresse Pleasure is, and Wee doe hereby Will and Command all the severall Tenants of

the Persons excepted in Our Proclamation for those four Counties of Kent, Surrey, Sussex, and Hampshire, and all other Persons who are any wayes indebted unto them, and all the Tenants to any other Person of any of the said Counties, who is now in Actual and open Rebellion against Us, or who after the publishing of this Our Proclamation shall contribute to the maintenance of the Armies now in Rebellion against Us, under the conduct of Robert Earle of Essex, or of any other Person or Persons, or that shall toyne in any such traitterous Association or Protestation, That they forbear to pay any Rents or Debts due to the said severall Persons, but detain the same in their hands towards the maintenance of the Peace of the Counties, and the reparatton of such Men who have suffered by the violence of the others. And if any Souldier or Souldiers now under Command against Us in either of Our said four Counties, shall within six dayes after the publishing of this Our Proclamation, apprehend and bring before Us, or any Officers of our Army, or any other Our Minister of Justice, so that the person apprehended be kept in safe Custody, the bodies of any of the persons so excepted by Us, or of any of the Commanders or officers now in Rebellion against Us in any of the said four Counties, such Souldier or Souldiers, besides their Pardons, shall receive such liberall Rewards by Pensions, or otherwise, as their severall services in respect of the qualities of the Persons so apprehended shall deserve. And if any Commander or officer (except the Persons so excepted) now in Rebellion against Us, in any of the said four Counties, shall within five dayes after this Our Proclamation published, being convinced in his Conscience of his damnable offence against God and Us, in assisting this odious Rebellion, returne to his Allegiance and repaire to Our Army, and commit no hostile Act in the meane while against Us, We shall not onely Pardon him, but so far employ him as his quality and demeanour shall deserve. And we doe hereby require all Our loving Subjects of what degree or quality soever, within Our said four severall Counties, upon their Allegiance, and as they tender the cause of God, the Protestant Religion, being invaded and threatened to be rooted up by Anabaptists, Brownists, and Atheists, of Us, and Our Posterity (Our life being sought after by this Rebellion) and of themselves (the Law and Liberty of the Subject being in apparent hazard to bee subjected to an Arbitrary Lawlesse power, of a few schismaticall, factious, and ambitious Persons) (to assist Us in Person, or with the Loane of Money, Plate, and Horses, in this Our great necessity. And having said thus much out of our tender regard of Our Subjects of those our Counties; If they shall henceforward be guilty of the premises: And shall either by Loane or contribution assist the said Army of Rebels, assemble and muster themselves in Armes without Authority

thority derived from Us under Our Hand, or shall enter into any Oath of Association for opposing Us and Our Army, and so compell Us to send part of Our Forces thither to reduce them to their obedience; they must answer the miseries that must follow, to God, and their Countrey. And Our Pleasure is, That this Our Proclamation be Read in all the Parish Churches and Chappels in the said foure severall Countiees.

Given at Our Court at Oxford, this sixteenth day of February, in the Eighteenth yeare of Our Reigne.

God save the King.

His Majesties gracious Message to both his Houses of Parliament, February the twentieth.

VV Hereas his Majesty hath (together with a Treaty) proposed a Cessation of Arms to both his Houses of Parliament, now sixteen days since, to which as yet he hath received no Answer: To the end that his Majestie may so cleerly understand the Houses, that no such Imputations (as have beene formerly) may after be laid upon him upon occasion of any thing that may intervene: His Majesty desires, if a Cessation shall be approved of by them, That the day upon which the Cessation is thought fit to begin, and such particular Limits and Conditions of that Cessation as are necessary to be understood and agreed on before the Cessation it self can actually begin, be proposed by them at the same time with their Approbation of it, Since as his Majesty supposeth by the present great Preparation of severall Forces of the Earle of *Essex* to march severall ways, that till such time as this be done, they doe not conceive themselves obliged to an actuall Cessation; So neither till then doth his Majesty conceive himselfe obliged to it.

An Ordinance of the Lords and Commons Assembled in Parliament, That no Wharfinger, Woodmonger, or other Seller of New-castle Coals, within the Cities of London, Westminster, or the Suburbs thereof, shall after the making hereof sell any New-castle Coals, above the rate of 23 s. the Chaldron, and after the first of April next, above 20 s. at the most.

FOr as much as information hath been given, that the Woodmongers, Wharfingers and other Sellers of *New-castle* Coal in the Cities of *London* and *Westminster*, and the Suburbs of the same, taking advantage of the

late Ordinance made by both Houses, prohibiting Ships to trade into *New-castle* for Coals, have raised the prizes thereof unto an unreasonable and excessive Rate, in respect of the Rate they have bought the same at, to the great oppression of the poorer and meaner sorts of people Inhabiting the said City and Suburbs. Whereupon the House of Commons, by an Order dated the 28 of *January*, referred the consideration thereof unto the Lord Major of the City of *London*, to informe himself what might be a reasonable price, having equall respect both to the Seller and Buyer, and to present his opinion to the House to be considered of by both Houses, and in the mean time Ordered, that the price should not exceed 22 shillings the Chaldron. Whereupon the Lord Major, calling to his Assistance the Aldermen of the said City, did certifie that 22 shillings the Chaldron at the Wharfe was a faire and fitting Rate. But for the encouragement of those that Trade in Coal, to bring in their Ships of lading into the River of *Thames* and supply the Market there, Certified that twelve pence more upon the Chaldron during this Winter might be allowed.

The Lords and Commons taking the same into their Consideration, do hereby Ordain and Order, That no Wharfinger, Woodmonger, or other Seller of *New-castle* Coal, within the Cities of *London* and *Westminster*, or the Suburbs or Liberties thereof, or within the Borough of *Southwark*, shall at any time after the making of this Order and before the first of *April* next ensuing, sell any *New-castle* Coal, above the Rate of 23 shillings the Chaldron at the Wharf; and from and after the said first of *April*, above the Rate of 20 shillings the Chaldron at the most. And the Lord Major and Sheriffs of the City of *London* and *Middlesex*, the Justices of Peace of the County of *Surrey*, respectively in their severall Jurisdictions, or any two of them, are hereby Authorized and required, to take care for the due Execution of this Ordinance, and in case any shall wilfully transgresse the same, to commit him or them so transgressing to Prison, untill he shall conforme himself thereunto: provided that any person that shall find himself grieved by reason of such Commitment, may Appeal to the Committee of Lords and Commons for advance of Moneys, who hereby are Authorized to heare his complaint, and to discharge him of his Imprisonment, if they shall find cause.

And it is hereby further Ordained and Ordered, That no *New-castle* Coal, Pit-coal or Sea-coal, shall be transported out of this Kingdom, into any Ports beyond the Seas, without the speciall Order of both Houses of Parliament, And the Earl of *Warwicke*, Admirall of the Fleet, and all the Captains and Officers thereof and the Officers of the Custom-house, and of all the Ports of the Kingdom, are to have speciall care to see the same duly observed.

And it is Ordered that this Ordinance be forthwith Printed, and the Lord Major and Sheriffs of the City of *London* and *Middlesex*, are to take care that the

the same be published in the Cities of *London, Westminster, Southwarke*, and the Suburbs and Liberties thereof, and the Collectors of the Customes are forthwith to send it to the severall Ports of this Kingdom.

Die Martis 21. Feb. 1642.

Ordered by the Lords and Commons assembled in Parliament, That this Ordinance shall be forthwith Printed and published.

John Brown Cler. Parl.

*The Desire and Advice of the Lords and Commons in Parliament to his Majestie,
That the next Assize and Generall Gaole-delivery may not
bee holden, &c.*

THe Lords and Commons in Parliament humbly shew, That your Justices and other liege people, who are or shall be summoned, or have other cause to attend at the next Assize, and generall Gaole-delivery appointed to be shortly kept in the severall Counties of *England and Wales*, cannot resort thither without great perill of their lives, and Dammage to their Estates, by reason of the present miserable Distractions, and being of Armed Forces in all parts of Your Realme, In regard whereof, the Lords and Commons doe humbly advise and desire your Majesty to command, that the said Assizes and Generall Gaole-delivery be not holden as is appointed, But that the same may be deferred untill it shall please God to restore Peace unto Your people.

His Majesties Gracious Answer to the fore-going Desire and Advice.

HIS Majesty hath weighed the Advice and Desire of the Lords and Commons, sent in a Letter to the Lord of *Falkland*, from the Earle of *Manchester*, concerning the putting off the Generall Assizes, and Gaole-delivery throughout the Kingdome. To which His Majesty returns this Answer; That the present bloody Distraction of the Kingdome (which his Majestie hath used all possible meanes to prevent, and will still, to remove) doth afflict his Majesty under no Consideration more, then of the great interruption and stop it makes in the Course and Proceedings of Justice, and the Execution of the Lawes, whereby his good Subjects are robbed of the peace and Security they were borne to; And therefore as much as in Him lyes, Hee will advance that onely meanes of their happinesse, at least they shall see that their sufferings that way proceed not from His Majestie. And since they may now expect, by the Lawes, Statutes and Customes of the Kingdome, the Assizes

and Generall Gaole-delivery in every Countie, His Majestie thinkes not fit to command the contrary, but will take severall and precise Order, that none of His good Subjects shall receive the least prejudice, as they repaire thither, by any of His Majesties Forces; Which Rule hee shall be glad to see observed by others; And then Hee hopes by the due execution of the Lawes, even these publique Calamities may have some abatement, and the Kingdome recover its former peace and prosperity.

FINIS.

Die Martis 21, Februarii, 1642.

VV Hereas in thesetimes of eminent danger, there is by order of Parliament a Fleet preparing, for the defence of this and other his Majesties Dominions, much greater then hath heretofore beene usuall, presently to goe out, for the speedy manning whereof, with able Mariners, all possible diligence is to be used.

It is this day thought fit, and ordered, by the Authority of both Houses of Parliament, That no Ships, nor Vessels whatsoever, which now are, or shall come into the River of *Thames*, be permitted to goe out thence upon any Voyage or other occasion, untill the said Fleet be compleatly manned, except such, whose just Occasions shall appear unto the Lords and others Commissioners for the Admiralty, to be so pressing and urgent, that the interruption of those Ships would be a prejudice to the State; And the said Commissioners are to take notice of this Order, and to cause the same to be put in execution accordingly.

John Brown Cleric. Parl.

By the King.

A Proclamation for the speedy payment of all such summes of Money as are due to His Majestie for Customes, or other Duties upon Merchandize, into His Majesties Receipt at His City of *Oxford*.

VV Hereas great summes of Money are due to Us, as well in Our ancient Right, as by severall Acts made this Parliament for Customes, Duties, and Impositions upon Merchandize, which either have not been paid to Our Farmors, Officers, or Collectors, or remaine still in their hands, whereby We have not in this Our great necessitie the benefit of Our own Revenue, We doe hereby Will and Command all Our Officers, Farmors and Collectors, in all and every of Our Ports of this Kingdome, who

have receiv'd any Duties, Customes or Impositions upon Merchandize due to Us, either by any Act of Parliament, or in Our ancient Right since the beginning of this Parliament, that they forthwith pay all such summes of Money, as remaines in their hands upon any such receipts, into the Receipt of Our Exchequer at Our City of Oxford, and at, or into no other place. And We likewise Will and Command all such Persons who have entred into Bonds, or other Obligations to any Ministers, Officers or Collectors of the said Customes, for the payment of such Duties, that they pay the same into Our said Receipt at our City of Oxford, and at, or into no other place, And We do hereby promise to save and keep harmlesse all such Persons from any penalty or damage, by reason of such Bonds; And We doe expect a strict obedience to these Our commands from all Persons whom it may concerne, as they tender Our service, and will answer the contrary at their utmost Perills.

Given at Our Court at Oxford, this 23. of February, in the Eighteenth yeare of Our Reigne.

God save the King.

Votes agreed on by the Lords and Commons in Parliament;

THAT there shall be a Treaty upon the Propositions before the disbanding, in which Treaty, so much of his Majesties Propositions as concernes the Magazines, Forts, and Ships; and the Proposition of both Houses for the disbanding of the Armies shall be first treated of, and concluded on; before the proceeding to treat upon any of the other Propositions.

And that this Treaty shall begin the fourth of March, or sooner if it may be, and that from the beginning of the Treaty, the time may not exceed twenty days.

John Brown, Cler. Parliament.

MY LORD;

I Am commanded by the Lords in Parliament, to desire your Lordship to acquaint His Majestie, that both Houses of Parliament having appointed a Committee to treat with His Majestie, They desire that a Safe-conduct may be granted unto them by His Majestie; The number and the names of the Committee your Lordship shall receive here inclosed.

My Lord, I am
Febr. 28.

Your Lordships humble servant *Manchester*,
Speaker of the House of Peers *pro tempore*.

For the Right Honorable the Lord Viscount *Falkland*, Principall Secretary to
to His Majestie. *Manchester*.

E. of Northumberland. L. Visc. Say & Seale.

M. Peirpoint, Sir John Holland, Sir William Ermyne, M. Whitlock,

CCCCO 2

His

His Majesties Message concerning a safe Conduct.

His Majesty hath sent a safe conduct for the Earl of *Northumberland*, M. *Peirpoint*, Sir *William Ermyne*, Sir *John Holland*, and M. *Whitlock*, but hath not admitted the Lord *Say* to attend Him, as being excepted against by name in His Proclamation at *Oxford*, of the third of *November*, and by Writ to the Sheriff proclaimed then in that County, in which His Majesties intention is declared to proceed against him as a person guilty of high treason, and so falling to be within the case of Sir *John Evelyn*, who upon the same exception was not admitted to attend His Majesty with the rest of the Committee at *Colebrook* in *November* last: But his Majesty doth signifie, that in case the House shall think fit to send any other person in the place of the Lord *Say*, that is not included in the like exception, His Majesty hath commanded all His Officers, Souldiers and other Subjects, to suffer him as freely to passe and repasse, as if his name had been particularly comprized in this safe Conduct.

His Majesty is content that his Proposition concerning the Magazines, Forts, Ships, and Revenue, and the Proposition of both Houses for the disbanding of the Armies, shall be first treated of, and agreed of before the proceeding to treat upon any of the other Propositions; And that after, the second of his Majesties, & the second of theirs be treated on, and agreed of, and so on in the same order; And that from the beginning of the Treaty, the time may not exceed twenty days, in which He hopes a full Peace and right Understanding may be established throughout the Kingdom.

The copy of the Safe-conduct.

Our will and pleasure is, And Wee do hereby straitly charge and command all the Officers and Souldiers of Our present Army, and all Our Ministers and Subjects whatsoever, to permit and suffer Our Right trusty and right well-beloved Cousin and Counsellour *Algernon* Earl of *Northumberland*, and Our Trusty and Welbeloved *William Perpoint* Esquire, Sir *William Ermyne*, and Sir *John Holland* Knights, and *Bulstrode Whitlock* Esquire, together with their Servants to passe and repasse to and from Us without any Let or Hinderance, they being now sent to attend Us from Our two Houses of Parliament.

This Our safe Conduct under Our Signe Manuall and Royall Signet, Wee charge and command them and every of them punctually to observe and obey, as they will Answer the contrary at their utmost perils.

Given at Our Court at Oxford, the third of March, 1642.

The

*The desire and Propositions of both Houses of Parliament
to His Majesty.*

WHereas the Lords and Commons in Parliament, out of a tender sense of the present Miseries and Distractions of the Kingdome, and for the obtaining and settling of a happy Peace betwixt His Majesty and His People, have humbly presented to His Majestie divers Propositions. to which He hath been pleased to make this Return, That His desire was that a speedy time and place might be appointed for the discussing of those Propositions; and likewise some others proposed by His Majesty: It is thereupon agreed in both Houses, That a Committee of both Houses shall be appointed to attend His Majesty, on, or before the fourth of *March*, if His Majesty shall so please, to endeavour to give Him all humble and fit satisfaction concerning the said Propositions, both His Majesties, and their own. And whereas for the more speedy removall of the bloody and miserable Effects of War, His Majesty hath likewise been graciously pleased, by a late Message to signifie His desire, That for avoiding all intervening accidents of War, Which might interrupt this Treaty, there might be a cessation of Armes under such particular Conditions and Limitations as should be agreed on, their humble Desires therein concurring with his Majesties, it is by them assented and agreed, That a cessation of Arms in order to such a Treaty as is resolved upon by both Houses of Parliament may be enjoyned to all the Armies and Forces now on foot in the Kingdom of *England*, and Dominion of *Wales*, on either side, under the Restrictions and Limitations hereafter following; And that neither side shall be bound or limited by this cessation in any otherwise, or to any other purpose, then is hereafter expressed.

1 **T**hat all manner of Arms, Ammunition, Victuals, Money, Bullion, and all other commodities passing without such a safe-conduct as may warrant their passage, may be stayed, and seized on, as if no such cessation were agreed on at all.

2 That all manner of persons passing without such a safe-conduct as is mentioned in the Article next going before shall be apprehended and detained, as if no such cessation were agreed on at all.

3 That His Majesties Forces in *Oxfordshire* shall advance no neerer to *Windsore* then *Wheatly*; and in *Buckinghamshire*, no neerer to *Aylesbury* then *Brill*; and that in *Berkeshire* the Forces respectively shall not advance neerer the one to the other then now they are: And that the Parliament Forces in *Oxfordshire* shall advance no neerer to *Oxford* then *Henley*; and those in *Buckinghamshire*

no neerer to *Oxford* then *Aylesbury* : And that His Majesties Forces shall take no new Quarters above twelve miles from *Oxford* any way ; and that the Parliament Forces shall take no new Quarters above twelve miles from *Windfore* any way.

4 That no Siege shall be begun, or continued against *Gloucester*, and that His Majesties Forces now employed in the Siege, shall returne to *Cirencester* and *Malsbury*, or to *Oxford* as shall be most for their conveniencie ; And the Parliament Forces which are in *Gloucestershire*, shall remaine in the Cities of *Gloucester*, *Bristol*, and the Castle and Town of *Berkley*, or retire neerer to *Windfore*, as they shall see cause ; And that those of *Wales* which are drawn to *Gloucester* shall returne to their Quarters where they were before they drew down to *Gloucestershire*.

5 That in case it be pretended on either side, that the Cessation is violated; no Act of Hostilitie is immediately to follow ; but first the party complaining is to acquaint the Lord Generall on the other side, and to allow three dayes after notice given for satisfaction ; and in case satisfaction be not given or accepted, then five dayes notice to be given before Hostility begin : And the like to be observed in the remoter Armies, by the Commanders in chiefe.

6 Lastly, that all other forces in the Kingdome of *England*, and Dominion of *Wales*, not before-mentioned, shall remain in the same Quarters and Places, as they are at the time of the publishing of this Cessation, and under the same Conditions as are mentioned in the Articles before : And that this Cessation shall not extend to restrain the setting forth or employing of any ships for the defence of His Majesties Dominions.

All which they humbly desire His Majestie will bee pleased to ratifie and confirme ; And that this Cessation may begin upon the fourth of March next, or sooner, if it may be, and continue untill the five and twentieth of the same moneth ; And in the meane time to be published to the Commanders, Officers, and Souldiers, and all other His Majesties loving Subjects on either side ; And that the Treaty intended may commence upon the Fourth of March next, or sooner, if it may bee, and the continuance thereof not to exceed twenty dayes.

Io. Browne Cler. Parl.

MY LORD,

I Am commanded by the Lords in Parliament to desire your Lordship to present unto His Majestie these inclosed Articles concerning a Cessation of Armes, to which they desire His Majesties Answer, as soone as it may stand with His Conveniencie. I am likewise commanded to send unto your Lordship the Resolmi-

ons of both Houses, that His Majestie may see the ground of their desires for a present Cessation of Armes. My Lord, this is that I have in command, who am

Feb. 28.

Your Lordships humble servant
Manchester.

Speaker of the House of Peers
pro tempore.

For the Lord Viscount Falkland.

His Majesties Message and propositions in answer to both Houses of Parliament.

HIS Majestie hoped the treatie would have been began, and the Cessation agreed on long since, and that much might in this time have bin concluded in order to the Peace and Happinesse of the Kingdom. But since in almost a moneth (for His Majesties Propositions were made on the third of *February*, and He heard not since from both Houses till the first of *March*) no consent hath been yeilded to it; He conceives the Cessation cannot begin so soon as the fourth of this Moneth, by which time (though His Majesty uses no delay in making His Answer, the same can hardly be returned to them; and many of the Articles now presented to Him from both Houses concerning the Cessation, are so strict, that such of His good Subjects, who are not of His Army (and for whom generally He shall alwayes have a principall, just, and compassionate regard) receive not any benefit, or are restored to any Liberty thereby, which His Majestie shall ever insist upon (when in matters meerly concerning Himself He may descend to easier Conditions) and which He hath returned with such alterations, as He doubts not both Houses will consent to, and do sufficiently manifest how solicitous His Majesty is for the good of his people, and how desirous he is, that in this unnaturall contention no more blood of his Subiects may be spilt (upon which He looks with much grief, compassion, and tenderneesse of heart) even of those who have lifted up their hands against Him; And His Majestie therefore desires (against which He can imagine no objection can be made) that the Cessation may begin upon the twelfth of this Moneth, or sooner, if the conditions of the Cessation shall be sooner agreed on; and is willing the same shall continue for twenty dayes, in which time He hopes by the Treaty and a cleer understanding of each other, a full Peace and happinesse may be established thorowout the Kingdom. And during that time His Majestie is willing that neither side shall be bound or limited by this Cessation in any other wise, or to any other purpose then is hereafter expressed.

1. That all manner of Armes, Ammunition, Money, Bullion and Vistuals passing for the use of either Army, without a Passe or safe conduct from the Generall of each Army may be stayed and ceased on, as if no cessation were agreed on at all.

2. That all Officers and Souldiers of either Army passing without such Licence or safe conduct, as aforesaid, may be apprehended and detained, as if no such cessation were agreed on at all; And that all manner of persons his Majesties Subjects, of what quality or condition soever (except Officers and Souldiers of either Army) shall passe to and from the cities of *Oxford* and *London* and back again at their pleasures, during this cessation, as likewise to and from any other parts of his Majesties Dominions, without any search, stay or imprisonment of their persons, or seizure and detention of their goods or estates; And that all manner of Trade, Traffique and commerce, be free and open between all his Majesties Subjects, excepting as aforesaid between the Officers and Souldiers of either Army, or for Arms, Ammunition, Money, Bullion, or Vistuals for the use of either Army, without a Passe or safe conduct, as aforesaid; Which may be a good beginning to renew the Trade and correspondence of the Kingdom, and whereby his good Subjects may be restored to that Liberty and Freedom they were born to, and have so happily enjoyed till these miserable Distractions, and which even during this War his Majesty hath to his utmost laboured to preserve, opening the Way by most strict Proclamations to the passage of all commodities even to the city of *London* it self.

3. That His Majesties Forces in *Oxfordshire* shall advance no neerer to *Windfore* then *Wheatley*; and in *Buckinghamshire*, no neerer to *Aylesbury* then *Brill*; and that in *Berkshire* the Forces respectively shall not advance neerer the one to the other then they shall be at the day to be agreed upon for the cessation to begin; And that the Forces of the other Army in *Oxfordshire* shall advance no neerer to *Oxford* then *Henly*, and those in *Buckinghamshire* no neerer to *Oxfordshire* then *Aylesbury*; And that the Forces of neither Army shall advance their Quarters neerer to each other, then they shall be upon the day agreed on for the cessation to begin, otherwise then in Passage and communication between their severall Quarters respectively, without any Acts of hostility each to other; but may enlarge themselves within their own Quarters respectively, as they shall finde convenient.

4. That the forces of either Army in *Gloucestershire*, *Wiltshire*, and *Wales*, as likewise in the Cities of *Gloucester*, *Bristol*, and the Castle and Towne of *Berkley*, shall be guided by the rule exprest in the latter part of the precedent Article.

5. That in case it be pretended on either side that the Cessation is Violated, no Act of hostility is immediately to follow, but first the party complaining is

to acquaint the Lord Generall on the other side, and to allow three days after notice given for satisfaction: and in case satisfaction be not given or accepted, then five days notice to be given before hostility begin: and the like to be observed in the remoter Armies by the Commanders in chief.

6 That all other Forces in the Kingdome of *England* and Dominion of *Wales* not before-mentioned, shall remain in the same Quarters and Places as they are at the time of publishing this cessation, otherwise then in passage and communication between their severall Quarters, as is mentioned in the latter part of the third Article: And that this cessation shall not extend to restrain the setting forth, or employing any Ships for the defence of his Majesties Dominions: Provided that His Majesty be first acquainted with the particulars, and that such Ships as shall be set forth be commanded by such as His Majesty shall approve of.

7 Lastly, that during the cessation none of His Majesties Subjects be imprisoned, otherwise then according to the known Laws of the Land, and that there shall be no plundering or violence offered to any of his Subjects.

And his Majesty is very willing, if there be any scruples made concerning these Propositions and circumstances of the cessation, that the Committee for the Treaty, neverthelesse may immediately come hither, and so all matters concerning the cessation may be here settled by them.

*A Declaration of the Lords and Commons Assembled
in Parliament.*

THe Lords & Commons taking into consideration, the miserable Distractions & calamities with which this whole Kingdom & Nation is now infected, the face and cruell Effects of an unnaturall civil War, being too visible & apparent in all the parts thereof, and the power of the Sword so prevailing, as that the publick Justice of the Kingdom cannot be expected to be administered in a just and indifferent way, but that the Judges and Ministers thereof may be terrified and awed by the Power of Armed men; And also for preventing of Inconveniences which may happen by Assemblies of multitudes of people in these times of miserable Distraction, have thought fit to Order, And the said Lords and Commons in Parliament Assembled, do Ordain and Declare, that the severall Judges and Justices of Assize, and *Nisi Prius*, and Justices of *Oier and Terminer*, and Goale delivery, and their Associates and the Clerks of the Assize and every of them, of, or within any of the counties or cities of *England* and Dominion of *Wales*, doe forbear to execute any of the said commissions, or to hold or keep any Assizes, or Goale delivery at any time during this Lent Vacation, or to issue out any Warrant for summoning the Assizes within any county in

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which they shall be appointed Judges or Justices; And if they have already issued any, that they forthwith revoke and recall the same, and herein their ready and perfect obedience is expected and required, as they will answer the contempt and neglect hereof, before the Lords and Commons in Parliament.

Martis ult. Februarii, 1642.

Ordered by the Lords and Commons Assembled in Parliament, that this Declaration shall be forthwith Printed and published.

Jo. Brown Cler. Parl.

An Ordinance of the Lords and Commons assembled in Parliament, for the speedy raising and levying of Money for the maintenance of the Army raised by the Parliament, and other great Affairs of the Common-wealth, by a weekly Assesment upon the Cities of London and Westminster, and every County and City of the Kingdom of England, and Dominion of Wales.

THe Lords and Commons now assembled in Parliament, being fully satisfied and resolved in their consciences, that they have lawfully taken up Arms: and may and ought to continue the same for the necessary defence of themselves and the Parliament from violence and destruction, and of this Kingdom from forreigne invasion, and for the bringing of notorious offenders to condigne punishment, which are the onely causes for which they have raised and doe continue an Army and Forces, which cannot possibly be maintained, nor the Kingdom subsist without the speedy raising of large and considerable summes of money proportionable to the great expences, which now this Kingdom is at, for the supporting of the said Army, and for the saving of the whole Kingdom, our Religion, Laws, and Liberties from utter ruine and destruction; which that it may be done with as much ease and indifferencie to the good Subject as the exigent of the times will permit, the said Lords and Commons do Ordain; And be it Ordained by the said Lords and Commons in this present Parliament assembled, That for the intents and purposes aforesaid, the severall and weekly summes of money hereafter in this Ordinance mentioned, shall be charged, rated, taxed, and levied upon all and every the severall Counties, Cities, Towns, Liberties, Places, and Persons hereafter mentioned, according to the proportions, rates, and distributions in this present Ordinance expressed, the same to be paid in weekly to the severall Collectors appointed by this Ordinance for the receiving hereof, That is to say,

Upon the City of London, the weekly summe of 10000 pounds.

The

The City of *Westminster*, with the Liberties thereof, and all the Parishes and Houses which are now within the weekly Bill of Mortality, within the County of Middlesex, (and not within the Jurisdiction of the Lord Major,) the sums of 1250 pounds.

The County of Middlesex, besides the City of Westminster, with the other places before mentioned, the weekly sum of 750 pounds.

The County of Kent, with the Cities there, the weekly sum of 1250 pounds.

The County of Essex, the weekly summe of 1125 pounds.

The County of Surrey, besides the Borough of Southwark, the weekly sum of 400 pounds.

The Borough of Southwark, the Parishes of Redderith, Newington Butts, and Lambeth, at the summe of 300 pounds.

The County of *Sussex*, the weekly sum of 625 pounds.

The County of Hertford, the weekly summe of 450 pounds.

The County of Cambridge, the weekly summe of 375 pounds.

The Isle of Ely, the weekly summe of 147 pounds ten shillings.

The County of Suffolk, the weekly summe of 1250 pounds.

The County of Norfolk, with the City of Norwich, the weekly summe of 1250 pounds.

The County of Huntington, the weekly summe of 220 pounds.

The County of Buckingham, the weekly summe of 420 pounds.

The county of *Bedford*, the weekly sum of 250 pounds.

The County of Lincoln, with the city of Lincoln, the weekly sum of 812 l. 10 shillings.

The county of Rutland, the weekly sum of 62 pounds 10 shillings.

The county and Town of Nottingham, the weekly sum of 187 pounds 10 s.

The county of Berks, the weekly sum of 550 pounds.

The county of Chester, the weekly sum of 175 pounds.

The county of the City of Chester, the weekly sum of 62 pounds.

The county of Cornwall, the weekly sum of 625 pounds.

The county of Derby, the weekly sum of 175 pounds.

The county of Devon, the weekly sum of 1800 pounds.

The county of the city of Exon, the weekly sum of 50 pounds 10 shillings.

The county of Dorset, the weekly sum of 437 pounds ten shillings.

The Town and county of Pool, the weekly sum of five pounds.

The county of York, the weekly sum of 1062 pounds 10 shillings.

The county of the city of York, the weekly sum of 62 pounds 10 shillings.

The Towne and county of Kingstone upon Hull, the weekly sum of 25 l.

The county of Gloucester, the weekly sum of 750 pounds.

The county of the city of Gloucester, the weekly sum of 62 pounds 10 s.

Hampshire, with the city of Winchester, Southampton, the Isle of Wight, the weekly sum of 750 pounds.

The county of Hereford and city, the weekly sum of 437 pounds 10 shillings.

The county Palatine of Lancaster, the weekly sum of 500 pounds.

The county of Leicester, the weekly sum of 187 pounds ten shillings.

The county of Monmouth, the weekly sum of 62 pounds ten shillings.

The county of Northampton, the weekly sum of 425 pounds.

The county of Oxford, the weekly sum of 400 pounds.

The county of Salop, the weekly sum of 375 pounds.

The county of Stafford, the weekly sum of 212 pounds ten shillings.

The county of the city of Lichfield, the weekly sum of five pounds.

The county of Summerfet, the weekly sum of 1050 pounds.

The city of Bristol, the weekly sum 55 pounds 15 shillings.

The county of Warwick the weekly sum of 562 pounds ten shillings.

The county and city of Coventry, the weekly sum of 37 pounds ten shillings.

The county of Worcester, the weekly sum of 550 pounds.

The city and county of Worcester, the weekly sum of 16 pounds 13 shillings.

The county of Wilts, the weekly sum of 725 pounds.

Cumberland, the weekly sum of 37 pounds ten shillings.

Durham, the weekly sum of sixty two pounds ten shillings.

Westmerland, the weekly sum of 27 pounds five shillings.

New-castle upon Tyne, the weekly sum of 25 pounds.

Northumberland, the weekly sum of fifty pounds.

Wales.

Anglesey, the weekly sum of twenty five pounds.

Brecknock, the weekly sum of fifty pounds.

Cardigan, the weekly sum of 62 pounds ten shillings.

Carmarthen, the weekly sum of fifty pounds.

Carnarvon, the weekly sum of thirty five pounds.

Denbigh, the weekly sum of twenty five pounds.

Flint-shire the weekly sum of sixteen pounds ten shillings.

Glamorgan, the weekly sum of sixty seven pounds ten shillings.

Merioneth, the weekly sum of twelve pounds ten shillings.

Mountgomery, the weekly sum of sixty two pounds ten shillings.

Radnor, the weekly sum of thirty seven pounds ten shillings.

Haverford west, the weekly sum of five pounds.

And be it further Ordained, That as well every person of the Estate of a Ba-

roth or Baronesse, and every estate above, and all, and every other person and persons born within this Realm of *England, Wales*, or other the Kings Dominions, as well Ecclesiasticall as Temporall, and every Fraternity, Guild, Corporation, Myſtery, Brother-hood, and Comminalty Corporate, or not Corporate, aswell Ecclesiasticall as Temporall, within the Realme of *England, Wales*, or other the Kings Dominions; for the value of every pound which every such person, Fraternitie, Guild, Corporation, Myſtery, Brother-hood, and Comminaltie Corporate, or not Corporate, hath of his or their own, or that any other hath to his or their use or uses, as well in Coine, in Plate, stock of Merchandize, any manner of Corn, and Grain, Household stuffe, and of all other goods, moveables, as well within this Realme as without, and of all such sum and sums of money as to him or them is, are, or shall be owing, whereof he or they trust in his or their conscience, to be paid (except and out of the premises deducted, such sums of money as hee or they owe, and in his or their conscience intend truly to pay; and except also the Apparell of every such persons, their Wives and children, belonging to their owne Bodies, (saving Jewels, Gold, Silver, Stones, Pearle) shall pay towards the Weekly sum and sums of money so assessed as aforesaid; And every Alien and Stranger borne out of the Kings obeyſance, as well Denizens as others, inhabiting within this Realme: And also, every Popish Recusant convict or not convict, shall pay towards the sums aforesaid, a proportion double to those of the like estates being no Aliens or Recusants. And that every person borne within the Kings obeyſance, as well Ecclesiasticall as Temporall, and every Corporation, Fraternity, Guild, Myſtery, Brother-hood, and Comminalty Corporate, or not Corporate, as well Ecclesiasticall as Temporall, for every estate that every such person or persons, and every Corporation, Fraternity, Guild, Myſtery, Brother-hood, and Comminalty Corporate or not Corporate, or any other to his or their use in trust or otherwise, hath in Fee-simple, Fee-tail, for term of life, term of years, by Execution, Wardship, or by copy Court-Roll, of and in any Honours, Castles, Mannors, Lands, Tenements, Rents, Services, Tithes, Oblations, Obventions, Annuities, Offices of Profit, Fees, Corrodies, or other yerly Profits or Hereditaments, aswell within Ancient Demesne, and other places privileged, as elsewhere, shall pay to and towards the said Weekly sums, his and their proportionable part and proportion of such sum or sums of money as are imposed, charged, and set upon each severall County, according as the same shall be divided, distributed, taxed, or set upon each severall Towne, Hamlet, Parish, or place where such person or persons is or shall be chargeable by this Ordinance; and the true intent and meaning thereof, Except and always foreprized, from the charge and Assessment of the sums aforesaid, All Goods, Chattels, and Ornaments belonging to any Churches or Chappels, which have

been ordained and used in any Churches and Chappels for the service of Almighty God ; and except yeerely Wages due to Servants for their yeerely service.

And the said severall summes so charged, set upon the said severall Counties, Cities, Townes, Liberties, Places and Persons aforesaid, shall by Authority of this Ordinance be taxed, fessed, and rated according to this Ordinance, in every Shire, Riding, Lathe, Wapentake, Rupe, City, Borough, Town, and every other place within this Realm of *England*, and Dominion of *Wales*, before the twenty sixth day of *February*, in the yeere of our Lord, One thousand six hundred forty two ; And the first payment of the said Weekly sums so assessed by this Ordinance shall be made at or before the first day of *March*, One thousand six hundred forty two ; and the said Weekly payment to continue Weekly for three Moneths next ensuing from the said First day of *March*, unlesse the Kings Army shall be disbanded in the meane time. And for the better expediting of the said service, be it further Ordained by the said Lords and Commons, That the Persons hereafter named, shall be Committees for the severall and respective Counties and places hereafter mentioned : That is to say ;

For the County of Bedford, *Sir John Burgoyne Baronet, Sir Thomas Ashton Knight and Baronet, Sir Roger Burgoyne Baronet, Sir Oliver Luke Knight, Sir Samuel Luke Knight, Thomas Robart, Thomas Sadler, James Beverley, Hampton Monox, Edward Osborn, Robert Stanton, Samuel Browne, Esquires.*

For the County of Berks, *Sir Francis Pile Baronet, Sir Francis Knollis junior, Knight, Peregrine Hoby, Roger Knight, Henry Powle, and Thomas Fettiplace, Esquires.*

For the Town of Reading, the Major for the time being, *Henry Martin, Tanfield Vachell, Esquires.*

For the County of Buck'. *Sir Richard Ingolesby, Knight, Henry Bullstrode, Thomas Tirrill, Richard Greneville, Esquires ; Sir Peter Temple Baronet, Anthony Ratchiff, Thomas Westall, Esquires ; Sir William Andrews, Sir Thomas Sanders, Knights ; Bullstrode Whitlock, John Hampden, Arthur Goodwyn, Richard Winwood, Esquires.*

For the County of Cambridge, *Sir Dudley North, Sir John Cuts, Sir Thomas Martin, Knights ; Captaine Symonds, Dudley Pope, Esquires ; Sir Miles Sands Knight, Francis Russell, Oliver Cromwell, William Fisher, Thomas Thompson, Thomas Becker, Walter Clopton, Robert Castle, Thomas Bendish, John Welbore, Robert Clark, Mich. Dalton junior, Thomas Parker, John Hubbard, Thomas Castle, George Claphorn, John Towers and Edward Leeds, Esquires ; William Marth, William March, Esquires.*

For the the Town and University of Cambridge, The Major for the time being Talbot Pepys Recorder, John Sherwood, Samuel Spauleden, Thomas French, Robert Robtson.

For the County of Chester, Sir George Booth, Knight and Baronet, Sir William Bruereton Baronet, Thomas Stanley, Henry Manwaring, Henry Brooke, John Bradshaw, Robert Duckenfield, Henry Vernon, John Crew, William Marbury, Esquires.

For the City of Chester.

For the County of Cornwall, Sir Richard Carew Baronet, Francis Buller, Alexander Carew, John Trefusis, John Saint-Aubin, Richard Erisey, John Moyl, Francis Godolphin, Thomas Thewen, John Carter, Thomas Arundell, Esquires.

For the County of Devon, Sir Peter Prideaux, Sir George Chudley, Sir John Poole, Sir John Northcot, Baronets; Sir Edm. Fowell Knight, Sir Samuel Roll, Sir Shilston Calmady, Sir Nic. Martin, Knights; Sir Francis Drake Baronet, Robert Savery, Henry Walrond, Esquires; John Davy Baronet, Henry Worth, Hugh Fortescue, Arthur Upton, George Trobridge, Esquires.

For the City of Exon, Christopher Clarke Major, Richard Sanders, Tho. Crossing, Adam Bennet, Walter White, and John Hakewell, Aldermen, James Gould, Sheriff.

For the County of Cumberland, Sir George Dalston Knight, William Lawson, William Briscoe, Thomas Lamplough, Richard Barwis, Esquires.

For the County of Derby.

For the County of Dorset, Sir Thomas Trenchard, Sir Walter Erle, Knights, John Brown, John Fitzjames, Thomas Tregnall, John Bingham, John Hanham, John Trenchard, Dennis Bond, Richard Broderop, Esquires.

For the town and County of Poole, Henry Martin Major, George Skut, Alexander Wait, Anthony Wait, William Williams, Aaron Durell, Richard Mayer, and Haviland Heely, Aldermen.

For the County of Durham, Henry Warmouth, George Lilborn, Thomas Mitford, Robert Huxton, Thomas Shadforth, Clement Falthrop, Richard Lilborn, Francis Wren, John Blackston, Henry Draper, John Brakenbury, Esquires.

For the County of Essex, Sir Thomas Barington, Knight and Baronet, Sir Henry Mildmay of Wansted, Sir Martin Lumley, Knight and Baronet, Sir Rich. Everard Baronet, Sir William Hicks Baronet, Sir Henry Halcroft, Sir William Rowe, Sir Thomas Honeywood, Sir William Martin, Sir John Barington, Knights; Sir William Massam Baronet, William Massam, John Wright, Oliver Raymond, Harbottle Grimston, John Sayer, John Burket, Anthony Luther, Timothy Middleton, Thomas Coke, Deane Tyndall, James Herne,

Heine, William Goldinghom, John Attwood, John Sorrell, Richard Harlac-kenden, *Esquires*.

For Colchester, the Major for the time being, Mr. Henry Barrington.

For East-Riding, Sir John Hotham Knight and Baronet, Sir Philip Stapleton Knight, Sir William Strickland Baronet, Sir Thomas Rymington Knight, Richard Rymington, John Hotham, John Anlabey, Richard Darley, Henry Darley, John Allured, Esquiers.

For North-Riding, Sir Wil. Sheiffeild Knight, Sir Hugh Cholinley Baronet, Sir Henry Foules Baronet, Sir Matthew Boynton Baronet, Bryan Stapleton, Henry Darley, Henry Anderson, John Wastall, Chr. Perchley, George Trotter, Matthew Smelt, John Legard de Makon, Francis Lassells, Jeoffery Gate, John Dent, Thomas Robinson, Francis Boynton, Esquiers.

For West-Riding, Ferdinando Lord Fairfax, Sir Thomas Malleverer Baronet, Sir William Lister, Sir Edward Rodes, Sir William Fairfax, Sir John Savill, Sir Thomas Fairfax, Sir John Reresbey Knights; Charles Fairfax, Henry Arding-ton, William West, John Farrer, William White, Thomas Malleverer, George Marwood, John Robinson, Thomas Stockdale, Thomas Westby, John Bright, Thomas Bosseville, Godfrey Bosseville, Esquiers.

For the City of Yorke, Sir Thomas Fairfax, and Sir Thomas Widrington Knights, Thomas Hodgson, James Hutchinson, and John Vaux, Aldermen.

For the County of Gloucester, Sir Robert Coke Knight, Nathaniel Stephens, John George, Edward Stephens, John Stephens, Thomas Pury Esquiers. And

For the County of the City of Gloucester.

For the City of Bristol, Richard Allworth Major, Joseph Jackson, and Hugh Brown, Sheriffs, Richard Hallworthy Alderman, Luke Hodges, and Henry Gibs.

For the County of Southampton, the Towne and County of Southampton, and the Isle of Wight: Sir Henry Worsley, Sir William Lewis Baronets, Sir Thomas Jervois, Sir William Lisle, Sir John Oglander, Sir Henry Clerk, Sir John Compton, Sir Richard Kinginill Knights, Robert Dillington, Robert Wallop, Richard Whitehead, Richard Norton, John Doddington, Richard Iervois, John Lisle, Dowce Fuller, John Button, Edward Hopper, Edw. Denny, John Bulkeley, Tho. Clerk, John Kemp, Richard Major, Francis Sanitbarb, Nich. Love, John Fielder, William Wither, Thomas Chandler, James Tut, and John Pittnian, Esquiers.

For the County of Hertford, Charles Lord Viscount Cranborn, Robert Cicell, Esquire; Sir John Garter Baronet, Sir Thomas Dacres, Sir William Liton, Sir John Whittérounge. Knights; Richard Iennyns, Ralph Freeman, William Lethmon, William Priefley, John Heydon, Alexander Wild, Richard Porter, Adam Washington, Esquiers. For Saint Albans, The Major for the time being, John Robthain, Ralph Pemberton, Esquiers.

For the County of Hereford, Sir Robert Harley Knight of the Bath, Sir Richard Horton Knight, Walter Kirle, Edward Broughton, Henry Vaughan, Esquires.

For the City of Hereford, Sir Robert Harley Knight of the Bath, Walter Kirle, Richard Hobson, John Brocket, Henry Vaughan, Esquires.

For the County of Huntington, Sir Thomas Cotton Baronet, Sir John Hewet Knight, Onslow Winch, Terrill Joselyne, Thomas Templer, John Cattle, Oliver Cromwell, Abraham Burwell, Edward Mountague, Esquires.

For the County of Kent, Sir Thomas Walsingham, Sir Anthony Weldon, Knights. Thomas Selliard, John Boyes senior, Esquires. Sir John Sidley, Sir Humphry Tuston, Knights and Baronets; Augustine Skinner, and Richard Lee, Esquires. Sir Edward Scot Knight, Sir Henry Hayman, Knight and Baronet, Sir Henry Vane junior, Knight. Sir Edward Hales, Knight and Baronet. Sir George Sands, Sir John Honeywood, Sir William Brook, Knights. Sir Mich; Lewly Baronet; and Thomas Blunt Esquire.

For the City of Rochester, the Major for the time being, Richard Lee, Esquire.

For the City and County of Canterbury, the Major for the time being Sir William Maan Knight. Sir Edward Maister Knight. Thomas Courthope Esquire, Avery Savine Alderman.

For Kingston super Hull, Sir John Hotham, Knight and Baronet, John Hotham Esquire, Thomas Raikes Major, Launcelot Roper, John Barnard, Josias Hall, Nicholas Denman, William Popple, Gentlemen.

For the County of Lancaster, Sir Ralph Ashton and Sir Thomas Stanley, Baronets, Ralph Ashton, Richard Shuttleworth, Alexander Rigby, John Moore, Richard Holland, Edward Butterworth, John Bradshaw, Peter Egerton, George Dodding, Nicholas Cunliff and Thomas Fell, Esquires; Robert Cunliff, Robert Curwen, and John Nowell, Gentlemen.

For the County of Leicester, Henry Lord Gray of Ruthin, Thomas Lord Gray of Groby, Sir Arthur Haslerigg, Baronet, Sir Edward Hartopp, and Sir Thor; Hartopp, Knights; William Hewett, John Bembridge, Peter Temple, George Ashby, William Roberts, Richard Bent, Arthur Stavely, William Danvers, John Goodman. Esquires.

For the Town of Leicester, the Major for the time being, William Stanley, Alderman.

For the County of Lincoln, Sir Edward Aiscough Knight, Sir John Wray, Knight and Baronet; and Sir Samuel Oseild, Knight; John Wray, Willoughby Hickinan, Edward Whitchcot, Edmond Anderion, Edward Rositer, and John Broxholme, Esquires; Sir William Arnyen Baronet; Sir Hamond Whitchcot, Knight;

Knight, *Sir John Brownlow, Sir Thomas Trotlop, Baronets, Thomas Grantham, Thomas Lister, John Archer, Esquires.*

For the City of Lincoln, and the Close of Lincoln, the Major for the time being, Thomas Grantham, John Broxholm, Esquires; Robert Moorecroft, William Watfon, and Stephen Dawson, Aldermen.

For the City of London, and all within the Jurisdiction of the Lord Mayor, the Lord Mayor and Aldermen of the said City.

For the County of Middlesex, Sir Gilbert Gerrard, Baronet; Sir John Franklyn, Sir Edward Barckam, Sir John Hippesly, Sir William Roberts, Knights; Sir Richard Sprignall Baronet; Laurence Whittacre, Thomas Wilcox, John Morris, Richard Dunton, Esquires.

For the County of Monmouth.

For the County of Norfolk, Sir Thomas Woodhouse, Sir John Holland, Baronet; Sir John Pots, Baronet; Sir John Hubbert, Baronet; Sir Miles Hubbert, Sir Thomas Huggen, Knights; John Cook, John Spelman, Philip Beddingfield, Samuel Smith, The Sheriffs of Norwich, The Bailiffs of Yarmouth, Thomas Toll, and John Percivall of Lynn, Thomas Windham, Francis Jermy, Robert Wood, Gregory Gausell, John Houghton, Thomas Weld, Martin Sedley, Thomas Sotherton, Esquires; Sir Edmund Muntfort, Knight; William Heveningham, William Cook, Robert Rich, Esquires; Sir Richard Berne, Sir Isaac Ashley, Sir John Palgrave, Knights; and Brigg Fountain, Esquire.

For the County of Northampton, Sir Rowland Saint John Knight of the Bath, Sir John Norwich, Knight, Sir Gilbert Pickering Baronet, Sir Richard Samuel Knight, John Crue, John Barnard, Edward Harvey, John Sawyer, Edward Farmer, John Norton, John Chappole, Esquires; Sir John Drayden, Baronet; and Richard Knightley, Esquire.

For the Town of Northampton, The Major for the time being, Thomas Martin, and John Fisher, Aldermen.

For the Town of New-castle.

For the county of Northumberland, Sir John Fenwick, Baronet, Sir John Dallevell, Knight; Thomas Middleton, William Shaftoe, Michael Weldon, and Henry Ogle Esquires.

For the Town and County of New-castle upon Tyne, Henry Warmouth, Ralph Gray, Henry Lawson, John Blackston, Esquires.

For the Town of Barwick upon Tweed, John Sleigh, Major, Sir Robert Jackson, Knight, Ralph Salkeld, Esquire.

For the County of Nottingham, Francis Pierpoint, Esquire, Sir Francis Thornhaugh, Knight; Francis Thornhaugh, Joseph Widmerpole, Robert Reyns, Gilbert Millington, and John Hutchinson, Esquires; Sir Francis Molinix, Knight, Charles White, and Henry Iretton, Esquires.

For the county of the Town of Nottingham, The Major for the time being, James Chadwick, Esquire, Huntington Plumtree, Doctor in Physick, John James, Alderman, and John Gregory, Gentleman.

For the county of Oxon.

For the county of Rutland, Sir Edward Harrington Knight, Evers Armya, Robert Horsman, John Osborn, Christopher Brown, Robert Horsman junior, and Thomas Wait, Esquires.

For the county of Suffolk, sir Nathaniel Barnardiston, Knight, Sir William Spring Baronet, sir Roger North, Sir Tho: Barnardiston, Knights, William Heveningham, Nathaniel Bacon of Freeston, Nicholas Bacon, Henry North, Robert Brewster, Francis Bacon, Theophilus Vaughan of Beckles; William Cage, Edmund Hervey, John Gurdon, Esquires; John Bassle Gentleman. The Bailiffs of the Town of Ipswich, John Sicklemere, Richard Pulpet, John Aldus Gentlemen.

For Saint Edmonds Bury Samuel Moody, Tho: Cole, M. Chaplin, the Bailiffs of the Town of Aldborough for the time being.

For the county of Surrey, for the West Division, sir Richard Onslow, sir William Elliot, sir Robert Parkhurst, Knights; Nicholas Stawton, George Evelyn, of Wotton; Henry Weston, Arthur Onslow, Esquires. For the Middle Division, sir Ambrose Brown, Baronet; Sir Anthony Vincent, Baronet; Sir John Dingle, Sir Matthew Brand, Knights; Francis Drake, Thomas Sands, George Myn, William Muscham, Esquires. For the East Division, sir John Howland and sir John Evelyn, Knights; John Goodwyn, Esquire, Richard Wright, and Cornelius Cook, Gentlemen.

For the county of Suffex, Sir Thomas Pelham, Baronet; Anthony Stapeley, Harbert Morley, Thomas Whitfield, John Baker, Herbert Hay, Esquires. Herbert Springate of the Broyle, Ralph Cooper, Hall Ravenscroft, Edward Apsey, John Downs, William Carlep, George Oglander, George Sympton, James Bachelor, Gentlemen.

For the county of Somerset, sir John Horner, sir Thomas Wroth, sir George Farwell, Knights; Christopher Walker, William Strode, Richard Cole, John Harrington, John Hippestey, William Long, John Preston, Henry Henley, Henry Sampford, John Pyre, and James Ashe, Esquires; Roger Hill, George Serle, and Jasper Chaplaine, Gentlemen; Richard Capell, William Bull, Robert Harbin, John Hunt and Alexander Popham, Esquires.

For the county of Salop, sir John Corbet, Knight; William Peirpoint, Richard Moore, Thomas Mitton, Walter Baker, Tho: Nichols, Robert Corbet of Stannerden, Humphrey Mackworth, Andrew Floyde of Aston, and Lancelot Lee, Esquires.

For the City of Lichfield, the Bayliffs of the said City for the time being, the Sheriff of the said City for the time being, Rich. Draffgate, Richard Baxter, and Thomas Burnes, Gentlemen; Michael Noble, Esquire.

For the County of Stafford, Sir Richard Skeffington, Knight, Richard Pyott, Michael Bidolph, Edward Manwaring, Matthew Morton, John Birch, Ralph Rudyard, Michael Lowe, and Edward Leigh Esquires; Sir Walter Wrotelsey, Sir Edward Littleton, Barons.

For the Countie of Warwick, the now Major of the city of Coventry Sir Peter Wentworth Knight, John Hales, Godfrey Boiwell, John Barker, William Purefoy Anthony Staughton, George Abbot, Thomas Boughton, William Colenore, Thomas Bainer, William Jesson, Gamaliel Purefoy, and Thomas Willoughby Esquires.

For the county of Wilts, Sir Edward Hungerford, Sir Edward Baintun, Sir Nevill Pool, and Sir John Evelyn, Knights; Edward Baintun, Edward Tucker, Edward Goddard, Alexander Thistlethwait junior, Edward Poole, Thomas Moore, John Ashe, and Robert Jennour, Esquires.

For the county of Westmerland, Sir Henry Bellingham, Knight and Baronet; Geo: Gilpin, Edward Wilton, Nicho: Fisher, Thomas Sleddall Rowland Dawson, and Allan Bellingham, Esquires; Roger Bateman, Richard Branthwaite, Robert Phillipson, and Gervace Benson, Gentlemen.

For the county of Worcester, John Wilde, Richard Creswel, Serjeants at Law; Humphrey Salway, Edw: Dingley, Edward Pit, Thomas Greves, and William Jeffries, Esquires,

For the city of Worcester, Henry Foord, Esquire, Major; Roger Seaburn and Henry Philips, Aldermen, John Rea, Gentlemen.

Which said severall Committees of the said severall and respective Counties and Places, or the greatest part of them, shall with all convenient speed after notice of this Ordinance given to them, or any two of them, meet together within the severall Counties and Places respectively, where they are Committees, in some convenient Place within the same Counties or Places, and may there agree to sever and divide themselves for the execution of the said Service, unto such Hundreds, Places, and Divisions within their respective Counties and Places, as to them shall seem meet and expedient; and afterwards the said Committees, or any two of them respectively, shall direct their Warrants to such number of persons as they shall think fit within their severall and respective Divisions, to appear before them, or any two of them, and upon their appearance, the said respective Committees, or any two of them, shall nominate and appoint such persons as they shall think fit, within their respective Divisions;

sions; which said persons so nominated, or any two of them, shall have power to asseſſe all and every person or persons, Fraternity, Guild, Corporation, Myſtery, Brotherhood, and Comminalty corporate, or not Corporate chargeable by this Ordinance, according to the weekly rates, and proportions in this Ordinance mentioned.

And the said respective Committees, or any two of them, shall have full power and authority within their severall and respective Limits, and Divisions, where they shall execute this Ordinance, to nominate Collectors for the Money so asseſſed: and rated, as aforeſaid, according to this Ordinance; which said Collectors shall collect the said Moneys so asseſſed, and pay the same to the Treasurer of the Army raised by the Parliament for the time being at *Guild-hall, London.* or at such place or places, and to such person or persons, as the said respective Committees, or any two of them shall appoint. And if any person or persons, Fraternity, Guild, Corporation, Myſtery, Brother-hood, or Comminalty corporate, or not corporate chargeable by this Ordinance shall refuse to pay the sum or sums upon him or them asseſſed by vertue of this Ordinance, or shall not pay the same upon demand at the place of his abode, or where such asseſſement shall be made, It shall be lawfull to, and for the respective Collectors, or any of them to leavy all and every such sum or sums so asseſſed by way of distresse, and sale of the Goods of the person or persons so asseſſed, where ever the same shall be found, and to break open any House, Chest, Trunk, Box, or other thing wherein any such Goods are. And if any person so distrained or other shall make resistance, it shall be lawfull to and for the said respective Collectors, or any of them, as they shall see cause to call to their assistance, any of the Trained-Bands, or Companies of Voluntiers, or other Forces, of or within the County or Counties, place, or places, where such resistance shall be made, or any other person or persons whatsoever, dwelling in or neer the place; and the said Trained-Bands, Voluntiers or Forces, and the severall Officers, Commanders, and Souldiers of the same, or other the persons so to be called, are hereby required to be ayding and assisting to the said respective Collectors in the premisses as they will answer the contrary thereof.

And be it also ordained, that every person to be rated and taxed as aforeſaid, shall be rated and set; and the summe on him rated and set to be leavied in every County, for the estate he hath either in Lands, tenements, or Hereditaments, Rents, Annuities, Fees, Offices, Goods, Cattles, or Chattels in that County only; and if he have an estate, either in Lands, tenements, Hereditaments, Rents, Annuities, Fees, Offices, Goods, or Chattels in severall places in one County, then to be rated in the said severall places in each severall County, according to such his said estate in the said severall places, and the summe on him set to be there leavied accordingly.

And be it further ordained, that all the Lands, tenements, or Hereditaments of all and every person and persons whatsoever, of what degree or quality soever, or in whose possession soever the same are, shall be rated, charged, and chargeable for and towards the raising and payment of the said weekly sum or sums of money set and charged by this Ordinance, yet nevertheless with this limitation, and provision, that if the Land be set or let to or neer the yeerely value thereof, in the possession of any tenant for life, lives, or yeeres, or at will, such person or persons to whom the rent thereof belongeth, to be solely chargeable there with ; But if the same be let at any easie or small rent or under-value then the sum taxed to be apportioned between the party or parties to whom the rent belongeth ; And the tenant or occupier of the Lands, tenements, or Hereditaments, as the taxers shall think meet. And if they or any of them shall do any injury, the same to be rectified by the said Committees, or any two of them within their severall limits or divisions, according to their discretion : And if any such tenant or occupier of Lands tenements, or Hereditaments shall or may be charged with any sum of money contrary to the true intent and meaning of this Ordinance, that it shall and may be lawfull to and for such tenant or occupier to stop and detain the same, from and out of his rent due for the same Land, or to take his lawfull remedy against such person or persons to whom the said rent is or shall be due or belonging, who ought by the true meaning of this Act to be charged therewith by Action of debt, wherein no wager of Law, protection, or Esloynce shall be allowed ; And in case that any Lands or Hereditaments in severall counties, Hundreds Parishes, or places, shal be let or set for, or charged with one intire rent or rents the owner of such rent or rents to be charged for such rent or rents in each County, Hundred, Parish, or place proportionably and according to the value of the Lands or Hereditaments so let in every of the said Counties, Hundreds, Parishes, and places, and for all manner of debts whatsoever or sum or sums of money due, or owing to any person or persons, by any person or persons within this Realme, and also for any debts, goods, or sums of money remaining or being beyond the Seas out of His Majesties Dominions due or belonging to any person or persons residing within *England or Wales*, the person or persons to whom such debts shall be due to be charged for the same in the place of his residence or abode, at the time of the taxation only. And be it ordained, that no person having two Mansions or places to resort to, being, or calling himselfe household-servant, or waiting-servant, to the Kings Majesty, or other Lord or Lady, Master or Mistresse, be excused from the Taxes of the said payments, in any place or places where he may be set or taxed, and if any person that ought to be set and Taxed to the said payment by his crime or craft, or any words or sayings, or otherwise, hap-
pen

pen to escape from the said payments, to be not set and taxed according to the true meaning of this Ordinance, and that proved by presentment, examination, information, or otherwise, before the said Committees, or any two of them, then every such person shall be charged upon the knowledge and prooff thereof, and at the treble value of so much as he should, might, or ought to have been set or taxed at by vertue of this Ordinance, and the same to be leavied, gathered, and paid of his Goods, and Chattels, Lands and Tenements, towards the said payment, in such manner as is herein limited for others which refuse to pay. And if no distresse be found of the goods or other things of such person or persons bodies corporate or other chargeable by this Ordinance as shall not pay their weekly rates as aforesaid; then the said collectors shall respectively have power to enquire of any sum or sums of money due or to be due to the persons so assessed as aforesaid from any person or persons for any Rents, Tythes, Goods, or Debts, or other thing or cause whatsoever, and to compound for any of the said Rents, Tithes, Goods, Debts, due to the person so assessed respectively as aforesaid, with any person or persons by whom the said Rents, tithes Goods, Debts, or other things due unto the said person so assessed respectively, as aforesaid; as also to give full discharge for the money by them so received upon composition or otherwise, which discharge shall be good and effectuell to all intents and purposes.

And be it further ordained, that if any person or persons shall finde him or themselves agrieved, that he or they is or are over-rated, such person or persons at any time before distresse taken of his or their Goods may complaine to the respective committees, who have executed this Ordinance within the division or limit where any such person or persons over rated shall be assessed; which said respective committees, or any two of them shall have power upon examination to relieve such person or persons, as they shall see cause. And for the better encouragement of the collectors in this said service, It is ordained, that three pence in the pound shall be allowed for every sum of money which shall be collected and paid to the said treasurers or Receivers, according to this Ordinance; two pence whereof shall be allowed to the collectors, and the residue to such other persons as shall be employed in the said service according to the discretion of the respective committees within their severall divisions or any two of them.

And to the end that all the moneys assessed may be duely collected, Be it ordained that the severall and respective Assessors within the Kingdome of England and Dominion of Wales shall within one weeke next after their respective Assessments made, returne their said severall Assessments unto the respective committees aforesaid for the respective divisions or limits where the said Assessments shall be made; who, or any two of them are hereby respectively

vely required within ten daies after the respective returnes of such severall assessments to deliver a copie thereof subscribed with their or any two of their hands to the severall Collectors, within their said respective division or limits and also within the like ten daies to send up another coppie thereof to the said treasurer of the Army raised by the Parliament for the time being, to the end the said treasurer may thereby know what he is to receive of every parish or place within this Realme and Wales, and the said severall sums shall be paid to the said treasurer at Guild-hall London, who shall give an acquittance for the same, which acquittance shall be brought to *John Trenchard*, and *William Wheeler*, Esquires, members of the House of Commons, who are to enter the same in a Book to be kept for that purpose, & then the said acquittance shall be a sufficient discharge to the party that payed in the said sum and not otherwise. And if any Assessor or collector shall refuse the said service or prove negligent or faulty therein, the said Committees for the division or limit where such Assessor or Collectors shall so refuse, or be so negligent or faulty, or any two of them shall have power to commit such Assessor or Collector to prison, or to set such fine upon him or them, as they shall thinke fit, not exceeding the sum of 20 pounds upon the Assessor; or the sum of five pounds upon the Collector; the same to be levied by distresse, and the sale of such offenders goods to the uses herein mentioned, in such sort as is herein before appointed for such as refuse to pay the rates assessed upon him or them, and shall also certifie the said offence to the Lords and Commons in Parliament, and shall have power to nominate other Assessors or Collectors.

And if any person or persons so assessed and rated as aforesaid shall conceale or convey away his or their goods, so that no distresse can be taken, or that the said sum or sums so assessed upon him cannot be had or levied by any the waies or meanes in this Ordinance mentioned, then the said Collectors shall respectively certifie the same, in case he be a Peere of the Realme, unto the Lords in Parliament; and if he be under the degree of a Peere, to the Committee of the Commons House in Parliament for Examinations, which said Committee shall hereby have power to send forth such person and persons as Delinquents, and to commit him or them prisoners to such place or places within this Kingdom, and for so long time as the Committee for Examinations shall thinke fit.

And be it lastly Ordained, that all and every the Assessors and Collectors aforesaid, and all that shall assist them in the premisses shall be protected by both Houses of Parliament, from all damage that may come to them or any of them by this service, and shall further receive such allowance for their charges, and obedience in the execution of this Ordinance, as upon certificate from the severall Committees above-named, or any two of them shall be thought fit by the Committee of the house of Commons for examinations.

Provided

Provided, that whereas the rates by this Ordinance set upon the City of *London*, the City of *Westminster*, and the Suburbs thereof, farre exceed the proportion of Other Counties, the same shall not hereafter be drawn into example or consequence to their prejudice, but shall be understood as a marke of their bounty and faithfull service to the Common-wealth.

Provided also, that where any Citizen or Citizens of *London*, are found to be seled in the Country within thirty miles of the said City, being men of estate, and not assessed in the City, such persons shall be assessed by some Citizens of *London* appointed by the Lord Major, and the summes so assessed upon him or them, to be levied upon them and their estates, where ever the same shall bee found, according to this Ordinance.

Provided likewise, that no Citizen or Citizens remaining Inhabitants within the City of *London* or Suburbs shall be assessed for any Houses, Lands, or other things in the countrey, unlesse the same exceed the value of fifty pounds *Per annum*, or that they have not been assessed in the City.

Lastly, be it ordained, that where no Committees are named in this Ordinance for any County, City, or place, there such other Committees as shall bee appointed by both the said Houses of Parliament, or any two of such Committees shall and may put this present Ordinance in execution within any such County or place respectively, in such manner and forme to all intents and purposes as any the Committees named in this Ordinance may, according to the purport and true meaning thereof.

And it is further ordered, that the City of *London* shall have allowed unto them the summe of 3000. pounds a moneth during the continuance of this Ordinance, for the discharge of their Watches and Souldiers, raised by them, and now in their pay, out of the weekly summe of 10000 pounds before mentioned; the same 3000 pounds to be paid unto the Committee for the Militia of the City of *London*, who are to be accountable for the same.

Provided alwayes, that no Peere of this Realme shall by vertue of this Ordinance be rated or taxed at any summe or summes of money whatsoever, for any his mansion house or houses, with the appurtenances in any places whatsoever; but the Assessors, within whose charge such house or houses, with the appurtenances shall happen to be, shall certifie the same into the House of Peeres, to the end that such Peeres may be there rated for the same, according to this Ordinance.

10. MARTII. 1641.

Additions to the Ordinance for the weekly Assessing of every County, for money, to maintain the Army raised by both Houses of Parliament.

VV Hereas the Lords and Commons now assembled in Parliament have lately passed an Ordinance, for the weekly raising of money for the maintenance of the Army and Forces raised by the Parliament, intituled, an Ordinance of both houses of Parliament for the speedy raising and levying of money for the maintenance of the Army raised by the Parliament, and other great affaires of the Common-wealth by a weekly assessment upon every County, In which Ordinance by reason of the necessity of the speedy passing thereof, and putting the same in execution, some omissions were made in the nomination of Committees, and otherwise : For redresse whereof, be it ordained by the Lords and Commons in this present Parliament Assembled and by the authority of the same, That all and every the Aldermen, Deputies, and the Common councill men of the city of London, shall be and hereby are Committees for the said City and liberties thereof.

For the County of Middlesex, and liberties of Westminster.

Sir *Iohn Coniers*, Knight, Lieutenent of the Tower of London, Sir *Tho. Fowler*, Knight and Baronet; Sir *Edward Barkham*, Knight and Baronet, Sir *Richard Sprignall* Baronet, Sir *Robert Pye*, Sir *Wil. Asheton*, Sir *James Harrington*, Sir *Robert Wood* Knights, *Io. Glyn*, *Jo. Trenchard*, *Will. Wheler*, *Iustinian Paget*, *Will. Swallow* and *Io. Hukesley* Esquires, *Will. Bell*, *Jo. Brigham*, *Anthony Withers*, *George Beverhasset*, and *Will. Barnes*, Gentlemen, shall be and are hereby made Committees for the County of *Middlesex*, and the City and Liberties of *Westminster*.

For *Surrey*, Sir *Ambrose Brown*, Baronet, Sir *Anthony Vincent* Knight and Baronet. Mr. *Edward Saunders*, Mr. *Ro. Holeman*, Mr. *Ro. Houghton*. Mr. *George Evelin*. Sir *Io. Dingley*. For *Stafford* *Michael Noble* Esqu. For *Lancaster*, Sir *Tho. Stanley*. For *Huntingdon*, *Io. Bulkeley*, Esq. For *Kent*, Sir *Edw. Boys*. Sir *James Oxenden*, Sir *Rich. Hardresse*, *Samuel Short* Esq. The Major of *Tenderden* for the time being, *VVil. Boys*, *Henry Stampford*, Esq. For *Dorset*, *VVil. Savage*, *Tho. Tregonell*, *Richard Brodreppe*, *Io. Hanham*, *VVil. Sidenham* Junior, *Rob. Butler* Esquire. For the City of *Chester*, *VVil. Iance* Major, *Io. Aldersey*, *Peter Leigh*, *VVil. Edwards* Merchants. For *Suffolke*, Sir *VVil. Plaisters* Knight and Baronet, sir *Io. Wentworth* Knight, sir *Philip Parker* Knight, *Maurice Barrow*, *Nicho. Bacon*; *Wil. Bloyse*, *Edm. Harvey*, Esquires; *Francis Brewster* Gent. For the town of *Leicester*, *Rich. Ludlam* now Major of *Leicester*, *Wil. Stanley*

one of the Aldermen there, *Evers Armyn*. For Warwick, and the city of Coventry, *Isaac Brumwich, Robert Phips*, Esquires. For Nottingham, *Thomas Hinchinson* Esq. For Essex, sir *Harbottle Grimston* Baronet, sir *Tho. Cheeke* Knight. *Henry Wiseman, Robert Smith, Robert Bourne, Wil. Attwood, Nath. Bacon, Jo. Meade, Robert Wiseman* of Mayland, *Isaac Allen* of Haseley, *Samuel Friboyrne, Peter VWhitcombe, Robert Young*, Esq. *Jeremy Aylet* Gent. *Henry Farris* Esq. *Wil. Collard* Gent. *Robert Crane* Gent. *Robert Calthropp* Gent. *Jo. Eldred* Esquire.

Which Committees in their severall and respective places, for which they are nominated and appointed Committees, shall have the like power and authority for the assessing, and rayfing of the said weekly assessment as other Committees appointed by the said Ordinance, are thereby respectively ordained to have. And it is further ordained by the authority aforesaid, that all and every person or persons being a Freeman of the City, that have gone out of the City of London, or the Liberties thereof since the first day of *October, 1642*. Shall be assessed in the said City, towards the rayfing of the weekly summe of 10000 pounds layd upon that City, and the summe so assessed shall bee levied upon them and their estates, where ever the same shall be found according to the said Ordinance.

And whereas it is ordered by the said Ordinance, that the City of London, shall have allowed unto them the summe of 3000 pounds a moneth, during the continuance thereof, for the discharge of their Watches and Souldiers raised by them, and in their pay out of the weekly summe of 10000 pounds layd upon them. It is now further ordained, that the summe of 3000 pounds more shall be monethly allowed unto them out of the said weekly summe for the purposes aforesaid, and for the providing of Armes and Ammunition and rayfing of fortifications, and other incident charges: So that the whole allowance to be made unto them every moneth, during the continuance of the said Ordinance is to be 6000 pounds to be paid to the Committee for the *Militia* of the said City.

Martii 4. 1642.

Ordered by the Lords and Commons, That these Ordinances be forthwith Printed and Published.

Hen. Elsyng, Cler. Parl. D. Com.

FINIS.

An Ordinance of the Lords and Commons Assembled in Parliament, for the relieving of all persons over-rated by the Ordinance for Weekly Assessments.

Die Sabbati 4. Martii, 1642.

VV Hereas it is ordained in the Ordinance for the weekly assessment, That if any person or persons shall find him, or themselves agrieved, that he, or they is, or are over-rated, such person or persons at any time before distresse taken of his, or their goods may complain to the respective Committees, who have executed this Ordinance within the Division or Limit, where any such person or persons over rated shall be assessed, which sayd respective Committees, or any two of them, shall have power upon Examination to relieve such person or persons as they shall see cause; yet the true intent and meaning of the sayd Ordinance is, And it is further ordered by the Lords and Commons, that if any person or persons so finding themselves agrieved, be such as have not formerly contributed upon the Propositions, or not proportionably to others of their estates, nor have bin rated and paid upon the Ordinance of assessment, Entituled and Ordinance for the assessing and rating of such as have not contributed at all, or not contributed according to the proportions of their Estates: Then the sayd parties if they be not assessed above a proportionable part of such sum or sums as other men of their ability have paid upon the Propositions, or have bin assessed, and have paid upon the sayd Ordinance of not exceeding the twentieth part; The sayd Rates to stand, and not to be altered, Provided neverthelesse, that no person be assessed above the summe of Ten pounds the weeke.

Ordered by the Lords and Commons assembled in Parliament, That this Ordinance be forthwith printed and published.

Hen. Elfyng, Cler. Parl. D. Com.

An Order of the Commons in Parliament, Prohibiting the Printing or publishing of any lying Pamphlet scandalous to his Majestie, or to the proceedings of both or either Houses of Parliament.

IT is this day, Ordered by the Commons House of Parliament, That the Committee for examinations, or any foure of them, have power to appoint such persons as they thinke fit, to search in any house or place where there is just cause of suspition, that Presses are kept and employed in the printing of scandalous and lying Pamphlets, and that they doe demollish and take away such Presses and their materials, and the Printers Nuts and Spindles which they

they find so employed, and bring the Master-Printers, and Work-men Printers before the sayd Committee ; And that the Committee or any foure of them, have power to commit to prison any of the sayd Printers, or any other persons that doe contrive, or publickly or privately vend, sell, or publish any Pamphlet, scandalous to his Majesty, or the proceedings of both or either Houses of Parliament, or that shall refuse to suffer any Houses or Shops to be searched, where such Presses or Pamphlets as aforesaid are kept : And that the persons employed by the said Committee, shall have power to seize such scandalous and lying Pamphlets as they find upon search, to bee in any Shop or Warehouse, sold, or dispersed by any person whomsoever, and to bring the persons that so kept, published, or sold the same, before the Committee ; And that such persons as the Committee shall commit for any of the offences aforesaid, shall not be released till the parties employed for the apprehending of the sayd persons, and seizing their Presses and materials, bee satisfied for their paines and charges. And all Justices of the peace, Captaines, Officers, and Constables, are required to be assisted in the apprehending of any the persons aforesayd, And in searching of their Shops, Houses, and Ware-houses ; And likewise all Iustices of Peace, Officers, and Constables, are hereby required from time to time to apprehend such persons as shall publish, vend, or sell the said Pamphlets. And it is further ordered, That this Order be forthwith printed and published, to the end that notice may be taken hereof, that the contemners of this Order may be left inexcusable for their offence.

Die Iovis 9^o Martii, 1642.

Ordered by the Commons assembled in Parliament, That this Order be forthwith printed and published.

H. Elsyng, Cler. Parl. D. Com.

FINIS.

An Ordinance of both houses for an Assessement to be made in the severall Parishes of England for the reliefe of maymed Souldiers, Widowes, and Fatherlesse children.

WHereas divers well-affected persons have gone forth in the Army raised by the Parliament, for the defence of the Parliament, Religion, Lawes, and Liberties of the Subjects of England, and in fight have received divers wounds, and maymes in their bodies, whereby they are disabled to relieve themselves by their usuall labour, and divers others have lost

their lives in the said service, whereby they have left their wives and children destitute of Reliefe, to support and sustaine them. The Lords and Commons assembled in Parliament, taking the same into their pious and charitable consideration, and having relieved divers of them here at *London*, with some small reliefe, for their present subsistence; but finding that that course cannot be held for any continuance of time, without many inconveniencies, Have thought fit, and doe hereby ordaine, that in every Parish within the Kingdome of *England*, wherein any such persons either now maymed, or slaine, did last inhabite afore their going forth to the aforesaid service, shall raise a competent stocke of Money by way of assessment upon the Inhabitants of the said severall Parishes, for the reliefe of the said maymed souldiers, and the widdows, and fatherlesse children of the said slaine persons, And that the Churchwardens, Collectors for the poore, Constables, Tything-men, or any two of them within any of the said severall Parishes shall hereby have power and authority to assess, levy and collect so much upon the severall Inhabitants of their severall Parishes, as they in their discretions shall thinke fit and necessary for the reliefe of the said maymed Souldiers, widdowes, and fatherlesse children, and to distribute the same according to the severall necessities of the said poore people, and shall once every yeere, at the severall Quarter-Sessions holden for the Countrey, or for any Borough or Towne Corporate that hold any Sessions, wherein any such assessment or collection shall be made, send in their particular accounts both of their assessments, collections, and disbursements, there to be recorded; and if any shall refuse to pay according to the said assessments, the said assessors shall hereby have power to distraine the Goods or Chattels of all such persons, as shall forefuse for the satisfaction of the said assessment and shall and may certifie the names to the Committee of the House of Commons for examinations, who shall have power to send for them as Delinquents; And to the end that the deceit which may be endeavoured in the due prosecution of this Ordinance may be prevented, It is further hereby ordained that all such Souldiers who have beene maymed in the service of the Parliament aforesaid; as also all such widdowes and fatherlesse children, whose husbands and fathers have been slayne in the said service, or shall die of any hurt received in the said service shall bring unto the afore-mentioned Assessors a Certificate under the hand of the Colonell, or under the hand of some other Commander, or the clerke of the Band of that Regiment wherein the said Souldiers or slayne persons did formerly serve, of the truth of their being maymed or slaine in the said service, which shall be a sufficient warrant for the said Assessors to make and levy such assessments as aforesaid.

FINIS.

An Ordinance and Declaration of the Lords and Commons assembled in Parliament, That the Lord Major and Citizens of the City of London, shall have full power and authority according to their discretion, to trench, stop, and fortifie all high-ways leading into the said City. And for the better effecting thereof, shall impose upon all the Inhabitants within the same, upon every house worth five pound a year six pence, and every house of greater rent after the rate of two pence in the pound.

IT is this day ordered by the Lords and Commons in Parliament, That the Lord Major, and Citizens of the Citie of *London*, for the better securing and safety of the said Citie, Suburbs, Parliament, Citie of *Westminster*, and Borough of *Southwarke*, shall have power to trench and stop all such high ways, and by-ways leading into the said City, as well within as without the Liberties, as they shall see cause; And shall also have full Power and Authority according to their discretion, to fortifie and intrench the places aforesaid with such Out-works, and in such places as they shall think meet; And for his and their furtherance and assistance, to call in all or any Deputy-Lieutenants, Justices of the Peace, Bailiffs, Constables, and other Ministers, Officers, and other his Majesties loving Subjects to be aiding and assisting, as they will answer the contrary at their perill. And it is further ordered, that the Deputy-Lieutenants, and Justices of Peace for the Countie of *Middlesex*, and *Surrey*, City of *Westminster*, and Borough of *Southwarke*, or any three or more of them within their severall and respective limits shall have power to impose upon the Inhabitants within the said Trenches and Fortifications, and without the Liberties of the said Citie, towards the charges of fortifying the said places as aforesaid, upon every House that shall be let for, or may be valued worth five pound per yeere, six pence: and for every House of greater Rent after the proportion of two pence in the pound, that the Tenant of the said House payeth if hee hold it at a Rack-rent, or otherwise, after the rate that the said house shall be valued to be worth: which Assessement shall be forth-with made and collected in all the Parishes, Precincts, and Liberties aforesaid, and paid to the Treasurer chosen, or to be chosen, by the Common-councill of the City of *London*, to be disbursed as aforesaid, the said money to be paid by the said Tenant or Inhabitant where houses are inhabited, who is to deduct the same out of his next Rent payable to the Land-lords, if it be a Rack-rent, and by the Land-lords where houses shall stand empty: And it is further ordered, That whereas the Common-councill of *London*, have in this time of imminent danger

danger passed an Act for the fortifying of the City of London, and other places above-mentioned. In pursuance whereof a Committee of Common-councell-men and others, are appointed and have already proceeded in the said Fortifications before this Ordinance could be effected, It is hereby declared, that their said pursuance of that Act, and executing the same is a good service to the Common-wealth, and the said parties, and all such Engineeres or others that shall be employed by them shall be by power of Parliament saved harmlesse both for what they have done, and shall do herein for time to come.

Die Martis 7, Martii, 1642.

Ordered by the Lords and Commons Assembled in Parliament, That this Declaration be forth-with Printed and published.

John Brown Cler. Parliament.

A Declaration of the Lords and Commons assembled in Parliament, That the Sheriffs of London, shal be saved and kept harmles by the authority of both Houses, for not publishing some late Messages and Proclamations lately sent them in his Majesties Name.

VV Hereas diuers Proclamations Writs, and Messages, some under the great Seal, and some under the Privie Signet, have been directed and delivered unto Alderman Langham and Alderman Andrews, then and yet Sheriffs of the City of London, and Countie of Middlesex, Commanding them in his Majesties name to execute the same, which Proclamations, Writs and Messages, being contrary to the priviledge of Parliament, and some of them conteining matters tending to the Scandall of the proceedings thereof, and to the prejudice of the Common-wealth, were by Order of both or either House of Parliament, forbidden to be executed, And the said Sheriffs in obedience therunto according to their duty did forbear to execute the same, The Lords and Commons do declare, that they well approve of the ready conformitie of the said Sheriffs to their commands; And doe further Declare and Ordain, that the said Sheriffs shall by the Authority of both Houses be saved and kept harmlesse from all damages and inconveniences that shall or can happen unto them for obeying the said Orders, or for any Act or thing they have done or shall do, in pursuance of the said Order or Orders.

Ordered by the Lords and Commons Assembled in Parliament, that this Declaration shall be forthwith Printed and Published.

John Brown Cleric. Parl.

A Declaration of the Lords and Commons assembled in Parliament, for the speedy setting forth of a Fleet of Ships to Sea, for the defence of the Kingdome.

THe Lords and Commons in Parliament assembled, fore-seeing the great inconveniences, distractions, and troubles, that must of necessity befall these Kingdoms of *England* and *Ireland*, by the approaching of Forreigne Forces now in preparation, against the well affected Subjects of both the said Kingdoms, and that the wofull effects thereof doe begin to appeare by the Narrow Seas being already infested, not onely by Sea-Rovers, by Commissions from the Rebels in *Ireland*, but also by Pirats of our own Nation, lately come forth of *Falmouth* in English Bottoms, to destroy their owne Countrymen, and in all probability to joyne with our own Forreigne Enemies, and so hinder all the good endeavours of the Parliament for reliefe of *distressed Ireland*, and interrupt all Trade and Commerce in these Seas.

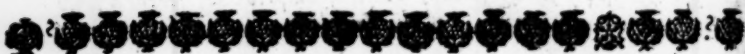
Wherefore the said Lords and Commons for the prevention of these great mischiefs, doe once more Declare and Ordain, That the Fleet now in Preparation to go forth, and all things thereunto conducing, may hasten to Sea with all possible Expedition; And that for the better encouragement of the Officers, and Sea-men, who shall be employed in the said Fleet, there shall be allowed unto those in the Kings Ships besides their pay, one full third part of all Prizes that they shall take in this their employment, the other two thirds to be reserved to the State; and to those in the Merchants Ships, one full third part for the Officers and Sea-men, and another third part to the Owners, in respect of their hazarding their Ships, and the other third part reserved to the State as aforesaid; which divisions are to be according to the custome of Men of Warre.

Die Luna 13 Martii, 1643.

Ordered by the Lords and Commons assembled in Parliament, That this Declaration shall be forthwith Printed and published.

John Brown Cler. Parl.

FINIS.

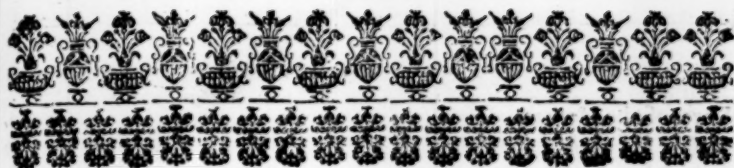


Die Veneris 24 Martii 1642.

IT is this day ordered by the Commons assembled in Parliament, that *Edward Husbands* Stationer, shall have the benefit of printing the Booke Entituled, *An exact Collection of Declarations, Orders, Votes, &c.* And it is also ordered, that no man shall presume to Print the said Booke without the said Master *Husbands* consent, and agreement thereto, during the space of six Moneths next after the Date hereof.

H. Elfyng Clerk. Parl. Dom. Com.





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